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PROCEEDINGS

OF THE

AMERICAN ACADEMY FOR JEWISH RESEARCH

AMERICAN ACADEMY

FOR

JEWISH RESEARCH

PROCEEDINGS

VOL. XLI – XLII

1973 – 1974

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INTRODUCTORY STATEMENT

The AMERICAN ACADEMY FOR JEWISH RESEARCH was organized in the autumn of 1919 and formally established on June 15, 1920. Its purpose is to foster and promote the cause of Jewish learning and research. The ACADEMY endeavors to achieve this end through:

1. The holding of periodical meetings at which learned papers are presented and discussed.

2. The formulation and carrying into effect of scholarly undertakings of a cooperative character.

3. The issuance of publications.

4. The promotion of relations of fellowship and cooperation between scholars and learned organizations in the United States and those in other countries.

5. The furnishing of opinions upon scholarly projects submitted to the ACADEMY.

6. Such other means as may, from time to time, be determined by the ACADEMY.

The ACADEMY was incorporated under the laws of Maryland on December 20, 1929.

The first public meeting was held at The Jewish Theological Seminary of America in New York City on December 27, 1928. Since that time annual meetings of members have been held in the last week of December, as well as special meetings of Fellows throughout the year.

In June 1933 the ACADEMY established a Research Fellowship for a displaced foreign scholar, and since then has maintained other Research Fellowships and has also contributed to the support of Jewish scholars resident abroad.

REPORT OF THE YEARS 1973 AND 1974

The forty-fifth annual meeting of the American Academy for Jewish Research was held on Sunday, December 24, 1972, at The Jewish Theological Seminary of America in two sessions, interrupted by a business meeting and a recess.

At the morning session the following papers were read:

1. Symposium on Ancient Israel
   a. Robert Gordis
      On Writing a Commentary on Job
   b. Nahum M. Sarna
      Some Factors in the Development of the Book of Psalms
   c. Morton Smith
      Differences between Ancient Israel and the Major Cultures of the Ancient Near East

At the afternoon session the following papers were read:

1. Jose Faur
   Deitic and Amaphoretic Pronouns in Mishnaic Hebrew (in Hebrew)
2. Ruth Link-Salinger
   Gustav Landauer: The Martin Buber Transmission
3. Mordechai A. Friedman
   Documents: Marriage Gift or Endowment Pledge?
   The Minimum *Mohar* Payment as Reflected in the Geniza
4. David Geffen
   New Light on the Life and Thought of Elijah del Medigo Based on Manuscript Sources

At the business meeting the Secretary and the Treasurer tendered their reports for the year 1972. Officers and an Executive Committee to conduct the affairs of the Academy for 1973 were elected at the meeting in accordance with Academy procedure.

On Thursday afternoon, December 21, 1972, the Fellows gathered for their Annual Meeting. A count of the ballots revealed that Professors Abraham G. Duker, Yochanan Muffs and Jacob Neusner were elected Fellows of the Academy. The following were elected Corresponding Fellows of the Academy: Professors Ephraim Urbach and Yigael Yadin of Jerusalem and Georges Vajda of the Centre National de la Recherche Scientifique, Paris.

The Executive Committee allocated grants-in-aid for the following projects: Reuben Ainsztein for his publication *Jewish Resistance in Nazi-Occupied Eastern Europe*; Joseph Kapach for *Saadyah's Commentary on Job*; Menahem Kasher for his *Targumei Hatorah*; Moshe Pirutinsky for his volume on *Brit Milah*; Nahum Rakover for *Copyright in Jewish Law*; David Rieder for *Aramaic Targum of the Pentateuch*; Shillem Warhaftig for *The Jewish Law of Contract*; and Eric Werner for *Songs of the Ashkenazic Synagogue*.

The forty-sixth annual meeting of the American Academy for Jewish Research was held on Sunday, December 30, 1973 at the Jewish Theological Seminary of America in two sessions, interrupted by a business meeting and a recess.

At the morning session, the following papers were read:

1. Symposium on Problems in Jewish Philosophy

    a. Samuel Sandmel
    The Rationalistic Denial of Jewish Tradition in Philo of Alexandria

    b. Arthur Hyman
    Interpreting Maimonides

    c. Marvin Fox
    Laws and Ethics in Modern Jewish Philosophy

At the afternoon session, the following papers were read:

1. David Weiss Halivni
    The Anonymous Parts of the Gemara: The Talmud after Rabina and Rab Ashi (in Hebrew)

2. Tovia Preschel
   The Polemics Concerning the Translation of the Talmud (in Hebrew)

3. Stanley Nash
   The Psychology of Dynamic Self-Negation in a Modern Hebrew Writer, Shay Hurwitz (1861–1922)

At the business meeting the president tendered a report for the year 1973. Officers of the Executive Committee to conduct the affairs of the Academy for 1974 were elected in accordance with Academy procedures. The following new officers were installed: Professor Louis Finkelstein, President; Professor Alexander Altmann, Vice-President; Professor H. L. Ginsberg, Treasurer; Professor Salo W. Baron, Chairman of the Executive Committee. Professors Shelomo D. Goitein and Yochanan Muffs were elected to the Executive Committee.

On Saturday night, December 29, 1973, the Fellows gathered for their Annual Meeting. A count of ballots revealed that Professors Nahum N. Glatzer, Nahum M. Sarna and Eisig Silberschlag were elected Fellows to the Academy. Professors Francisco Cantera Burgos of Madrid and Benjamin Mazar and Chaim Schirmann of Jerusalem were elected Corresponding Fellows.

Among the grants made by the Executive Committee were financial sums in support of the following projects: to Elimelech Epstein-Halevy for his study of *The Legends of the Tanaim and Amoraim in the Light of Greek Sources*; to Isaiah Friedman for his book, *Germany, Turkey and Zionism: 1897–1918*; to the Journal of the Ancient Near East Society for the *Theodor H. Gaster Festschrift*; to Arthur Hyman for his study on the *Averroes' Ma-amar be-Eṣem ha-Galgal*; to Etan Levine for *The Aramaic Version of Jonah*; to Nahum Rakover for his *Bibliography of Jewish Law*; to Izaak Rubin for *The Jews in Lodz under the German Occupation*; and to Samuel Shiloh for *The Law of the State is Law*.

LIST OF OFFICERS AND FELLOWS 1973–1974

OFFICERS

President — Prof. Salo W. Baron
Columbia University
Prof. Louis Finkelstein (1974)
Jewish Theological Seminary

Vice-President — H. L. Ginsberg
Jewish Theological Seminary
Prof. Alexander Altmann (1974)
Brandeis University

Treasurer — Prof. Harry M. Orlinsky
Hebrew Union College — Jewish Institute of Religion
Prof. H. L. Ginsberg (1974)
Jewish Theological Seminary

Secretary — Prof. Zvi Ankori
Columbia University

Recording Secretary — Prof. Arthur Hyman
Yeshiva University

EXECUTIVE COMMITTEE

the Officers and

Prof. Samuel Atlas
Hebrew Union College — Jewish Institute of Religion
Prof. Salo W. Baron, Chairman (1974)
Columbia University
Prof. Gerson D. Cohen
Jewish Theological Seminary
Prof. Joshua Finkel
Yeshiva University
Prof. Louis Finkelstein
Jewish Theological Seminary
Prof. Shelomo D. Goitein (1974)
Institute for Advanced Study
Princeton University
Prof. Judah Goldin
University of Pennsylvania
Prof. Saul Lieberman
Jewish Theological Seminary
Prof. Yochanan Muffs (1974)
Jewish Theological Seminary
Prof. Benzion Netanyahu
Cornell University
Prof. Shalom Spiegel
Jewish Theological Seminary
Prof. Isadore Twersky
Harvard University
Prof. David Weiss Halivni
Jewish Theological Seminary
*Prof. Harry A. Wolfson
Harvard University

COMMITTEE ON PUBLICATIONS

Prof. Zvi Ankori, *Chairman*

Prof. Salo W. Baron
Prof. H. L. Ginsberg
Prof. Shalom Spiegel
*Prof. Harry A. Wolfson

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* Deceased

Prof. Shraga Abramson, Hebrew University
Prof. Alexander Altmann, Brandeis University
Prof. Zvi Ankori, Columbia University
Prof. Samuel Atlas, Hebrew College — Jewish Institute of Religion
Prof. Salo W. Baron, Columbia University
Prof. Isaac Barzilay, Columbia University
Prof. Samuel Belkin, Yeshiva University
Prof. Elias Bickerman, Columbia University
Prof. Gerson D. Cohen, Jewish Theological Seminary
Prof. Chaim Z. Dimitrowsky, Jewish Theological Seminary
Prof. Abraham G. Duker, Brooklyn College
Prof. Israel Efros, Israel
Prof. Shlomo Eidelberg, Stern College
Prof. Meyer Feldblum, Yeshiva University
Prof. Joshua Finkel, Yeshiva University
Prof. Louis Finkelstein, Jewish Theological Seminary
*Prof. Walter J. Fischel, University of California, Berkeley
Prof. Lloyd Gartner, Tel Aviv University
Prof. Theodor H. Gaster, Barnard College
Prof. H. L. Ginsberg, Jewish Theological Seminary
Prof. Nahum N. Glatzer, Boston University (1974)
Prof. S. D. Goitein, Institute of Advanced Study, Princeton University
Prof. Judah Goldin, University of Pennsylvania
Prof. Robert Gordis, Jewish Theological Seminary, Temple University
Prof. Moshe Greenberg, Hebrew University
Prof. Abraham S. Halkin, Israel
*Prof. Abraham J. Heschel, Jewish Theological Seminary
Prof. Arthur Hyman, Yeshiva University
Prof. Max Kadushin, Jewish Theological Seminary
Prof. Guido Kisch
Prof. W. Leslau, University of California, Los Angeles
Prof. Saul Lieberman, Jewish Theological Seminary
Prof. Jacob R. Marcus, Hebrew Union College — Jewish Institute of Religion
Prof. Yochanan Muffs, Jewish Theological Seminary
Prof. Leon Nemoy, Dropsie College
Prof. Ben Zion Netanyahu, Cornell University
Prof. Jacob Neusner, Brown University
Prof. H. M. Orlinsky, Hebrew Union College — Jewish Institute of Religion
Prof. Moshe Perlmann, University of California, Los Angeles

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* Deceased

Prof. Jakob J. Petuchowski, Hebrew Union College — Jewish Institute of Religion
Prof. Franz Rosenthal, Yale University
Prof. Judah Rosenthal, Israel
Prof. Nahum M. Sarna, Brandeis University (1974)
Prof. Eisig Silberschlag, University of Texas at Austin (1974)
Prof. Shalom Spiegel, Jewish Theological Seminary
*Prof. Leo Strauss, University of Chicago
Mr. Zosa Szajkowski, YIVO Institute for Jewish Research
Prof. Isadore Twersky, Harvard University
Prof. David Weiss Halivni, Jewish Theological Seminary
Prof. Eric Werner, Hebrew Union College — Jewish Institute of Religion
*Prof. Harry A. Wolfson, Harvard University
Prof. Yosef Hayim Yerushalmi, Harvard University
Prof. Solomon Zeitlin, Dropsie University
Prof. Moshe Zucker, Jewish Theological Seminary

CORRESPONDING FELLOWS

Prof. Yitzhak Baer, The Israel Academy of Sciences and Humanities
Prof. Francisco Cantera Burgos, University of Madrid (1974)
*Prof. Ben-Zion Dinur, The Israel Academy of Sciences and Humanities
Prof. Benjamin Mazar, Hebrew University (1974)
Prof. Chaim Schirmann, Hebrew University (1974)
Prof. Gershom Scholem, The Israel Academy of Sciences and Humanities
Prof. Ephraim Urbach, Hebrew University
Prof. Georges Vajda, National de la Recherche Scientifique
Prof. Yigael Yadin, Hebrew University

HONORARY MEMBER

Prof. Julian Morgenstern, Hebrew Union College — Jewish Institute of Religion

RESEARCH FELLOWSHIPS AND GRANTS-IN-AID

J. D. Abramsky, Jerusalem
Dr. Jacob Katzenstein, Jerusalem

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* Deceased

RECENT PUBLICATIONS OF THE AMERICAN ACADEMY FOR JEWISH RESEARCH

PROCEEDINGS*

VOLUME XXXVII — 1969, 198 Pages

Robert Chazan, "The Bray Incident of 1192: *Realpolitik* and Folk Slander"; Meyer S. Feldblum, "The Impact of the 'Anonymous Sugyah' on Halakic Concepts"; Mordechai Friedman, "Termination of the Marriage Upon the Wife's Request: A Palestinian Ketubba Stipulation"; Zosa Szajkowski, "Jews and the Elihu Root Mission to Russia — 1917"; Moshe Weinfeld, "Theological Current in Pentateuchal Literature"; Rivka Horowitz, "תפישת ההיסטוריה היהודית במחשבת פרנץ רוזנצוויג"; Noga Hareuveni, "טבע הארץ בטקסי מקדש וחג"; Dan Pagis, "על מושג המקוריות בשירה העברית מתקופת ספרד"; Yehuda Felix, "דימויים מעולם החי והצומח בתהלים צ"ב."

VOLUME XXXVIII–XXXIX — 1970–1971, 325 Pages

Zvi Ankori, "The Living and the Dead: The Story of Hebrew Inscriptions in Crete (Part I: The Lost Record)"; Robert Chazan, "1007–1012: Initial Crisis for Northern European Jewry"; Walter J. Fischel, "Bombay in Jewish History in the Light of New Documents from the Indian Archives"; Leon Nemoy, "The Epistle of Sahl ben Maṣliaḥ"; Zosa Szajkowski, "Paul Nathan, Lucien Wolf and the Versailles Treaty"; Haym Soloveitchik, "Pawnbroking: A Study in *Ribbit* and of the Halakah in Exile"; Emanuel Etkes, "שיטתו ופעלו של ר' חיים מוולוז'ין כתגובת החברה ה'מתנגדית' לחסידות"; Moshe Beer, "כבוד ובקורת (על יחסיהם של חז"ל לראשי הגולה ולנשיאים)."

VOLUME XL — 1972, 175 Pages

Alexander Altmann, "Eternality of Punishment: A Theological Controversy within the Amsterdam Rabbinate in the Thirties of the Seventeenth Century"; David Berger, "The Attitude of St. Bernard of Clairvaux toward the Jews"; Mordecai L. Wilensky, "Rabbi Elijah Afeda Baghi and the Karaite Community of Jerusalem"; Dov Zlotnick, "The Commentary of Rabbi Abraham Azulai to the Mishnah"; Moshe Zucker, "ציונים ומלואים ל'שאלות' של חיוי הבלכי."

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* For the Tables of Contents of previous Proceedings, see Proceedings of the American Academy for Jewish Research, Vol. XXXVII (1969), pp. xiii–xx.

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מאת דב ירדן
חלק שני
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by Bernard D. Weinryb
Philadelphia, 1973, 424 pages

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A Review of Activities
(1915–1972)
New York, 1973, 36 pages

JOSHUA FINKEL FESTSCHRIFT
Edited by Sidney B. Hoenig and Leon D. Stitskin
New York, 1974, 190 pages [English] + 226 pages [Hebrew]

STUDIES IN MEDIEVAL JEWISH PHILOSOPHY
by Israel Efros
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English Section — Volumes I and II, 1095 pages
Hebrew Section — Volume III, 439 pages
Jerusalem, 1974

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* For previous publications, see Proceedings of the American Academy for Jewish Research, Vol. XL (1973), p. xv.
415 pages

YOSEPH SHLOMO DELMEDIGO
(Yashar of Candia)
by ISAAC BARZILAY
Leiden, 1974, 379 pages

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על שלחן ערוך יורה דעה
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עם הערות ותיקונים מאת
ד״ר דוד רידר
ירושלים, 1974, 309 pages

THE JEWS OF POLAND
by BERNARD D. WEINRYB
Philadelphia, 1973, 424 pages

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* For previous publications, see Proceedings of the American Academy for Jewish Research, Vol. XXXVII (1969), pp. xxvi–xxvii and Vol. XL (1973), p. xvii.

SALO WITTMAYER BARON JUBILEE VOLUME
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Hebrew Section — Volume III, 439 pages
Jerusalem, 1974

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AND THEIR LOCATION
Volume One
by ARON FREIMANN
Index by MENAHEM HAYYIM SCHMELZER
Introduction by SALO WITTMAYER BARON
Aron Freimann: A Personal Tribute
by SHELOMO DOV GOITEIN
New York, 1973, 280 pages

DIE HEBRÄISCHEN HANDSCHRIFTEN IN ÖSTERREICH
Teil IIA
von
ARTHUR ZACHARIAS SCHWARZ
und
Teil IIB
von
D. S. LOEWINGER und E. ROTH
[Hebrew Manuscripts in Austria, American Academy for
Jewish Research: Texts and Studies IV]
New York, 1973, 171 pages

SALO WITTMAYER BARON JUBILEE VOLUME
On the Occasion of his Eightieth Birthday
Edited by SAUL LIEBERMAN and ARTHUR HYMAN
English Section — Volumes I and II, 1095 pages
Hebrew Section — Volume III, 439 pages
Jerusalem, 1974

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* For previous publications, see Proceedings of the American Academy for Jewish Research, Vol. XXXVII (1969), p. xvii.

NECROLOGIES

BENZION DINUR
(1884–1973)

The American Academy for Jewish Research is mourning the demise of one of its distinguished Corresponding Fellows, Professor Benzion Dinur of Jerusalem. His loss is grievously felt not only by the scholarly community, but also by the whole Jewish people, one of whose leaders he was for several decades.

Born on January 2, 1884 in Khorol, a small town in the Ukrainian province of Poltava, he was a son of the Russian post-Haskalah generation whose upbringing combined thoroughgoing Hebrew studies with Western education. After being a pupil of the Telsh (Telsia) and Slobodka yeshivot, he studied at the Universities of Berlin and Berne. In Berlin he associated frequently with Professor Eugen Täubler whom he greatly admired and on whose passing he was later to write a moving necrology. Upon his return to Russia he lived for a while in Petrograd before proceeding to Ereṣ Israel in 1921. During the intervening years he was not only teaching and writing, but was also very active in communal affairs, particularly in connection with the Society for the Propagation of Enlightenment Among Jews. As an ardent Zionist he participated in the sudden upsurge of that movement during the First World War and the first two years following the two Russian revolutions of 1917. Along with many other Zionist workers Dinur underwent numerous vicissitudes during the revolutionary storms in both Leningrad and the Ukraine.

With his extraordinary perspicacity he foresaw quite early the ultimate victory of the Communist Party. Upon his arrival in the Ukraine which was then in the throes of a protracted civil war and the scene of extensive pogroms, he was asked by many friends: "What can you tell us about the future? You have been accepted among us as a political forecaster whose predictions are to be carefully listened to." Thereupon Dinur replied: "Please take some paper and write down the following: 'It is now the beginning of

the third week of July [1918]. Within five to six months you will have here a Soviet regime'."[1] This prediction was gleefully accepted by some Soviet sympathizers, but resented by the majority of his friends who still hoped to live a fuller, autonomous Jewish life under the nascent Ukrainian Republic.

After overcoming many difficulties, a group of Hebrew writers led by Chaim Nachman Bialik, received an exit permit from the Soviet authorities and settled in Palestine in 1921. Among them was Dinur who soon thereafter joined the Jewish Teachers' Training College in Jerusalem as a teacher and later became its principal. Beginning in 1936 he also lectured on modern Jewish History at the Hebrew University where in 1948 he was made professor and four years later retired as professor emeritus. All along he was also active on the political scene. After the establishment of the State of Israel he was elected to the first Kneset, and in the years 1951–55 served as Minister of Education. During his tenure of that office he issued in 1953 the important State Education Law; he tried to sever thereby the strong links which had theretofore tied the primary and secondary education to the various political parties.

Despite the constant turbulence and the manifold crises which had accompanied the development of the Yishuv before and after 1948, Dinur maintained his equanimity and unperturbedly pursued his creative work of research and writing. When I first met him in 1937, he showed no apprehensions whatsoever about the then raging Arab uprising in Palestine. He was much more interested in the incoming waves of Jewish immigrants, particularly from Nazi-dominated Germany. I admired his untiring concentration on helping, with his characteristic milk of human kindness, the German refugees, particularly in securing for them some academic and research work.

Another for me unforgettable experience was when I came to Jerusalem again in 1946. At that time Dinur asked me to address

[1] Quoted in Dinur's autobiography Vol. II: בימי מלחמה ומהפכה, Jerusalem, 1960, p. 313.

the faculty and student body of his Teachers' College. In lieu of lecturing, I asked for permission to devote our meeting to an exchange of ideas with the teachers and students of the college. During the session which lasted a whole morning of three to four hours, I learned much more from the audience than I could possibly have imparted to it. Throughout that memorable dialogue I had the unerring feeling that I was universally pitied. I sensed that Dinur and his associates, both old and young, looked askance at me as to why, having a chance to settle in Jerusalem right then and there, I preferred to return to the United States. So deep was not only their distrust in the Diaspora and its uncertain future in the face of what they considered an unavoidable rise in anti-semitism in all countries, but also their deep and abiding confidence in the future of the Yishuv despite the enormous difficulties it was facing in the early postwar years. Dinur only partially changed his mind when on my invitation as president of the American Jewish Historical Society, he came to the United States to help us celebrate the Tercentennary of the Jewish settlement in America. On this occasion he delivered a brilliant address on "American Jewish Historiography in the Light of Modern Jewish History."[2]

Zionist thinking permeated all of Dinur's scholarly work as well. In coming to grips, for example, with the difficult problem of periodicization in Jewish history, he joined some of us in rejecting the long-accepted notion that medieval Jewish history extended to the late eighteenth century, particularly the French Revolution. While accepting the view that the socioeconomic and intellectual emancipation—which could not be precisely dated—preceded the enactments of equality of rights in the political and legal spheres, he looked for some convenient event with which to begin the era of modern Jewish history. He started from the premise that, as exemplified by the Shabbetai Zevi debacle,

> three principal factors have accounted for the modern development and lent it its character: the raising of the people's

[2] This address appeared in the Society's *Publications*, XLVI (1956–57), 196–209 and was reprinted in *The Writing of American Jewish History*, ed. by Moshe Davis and Isidore S. Meyer, New York, 1957.

yearning for redemption into a foremost and essential condition for its realization, the emphasis on the link between the people of Israel and its country as an essential, vital, and concrete element in the very make-up of the entire people, and the upsurge of activities for settlement in Palestine as the necessary method for the preparation for and the ultimate achievement of redemption.

From this assumption he came to the conclusion that we might best begin the modern period of Jewish history with R. Yehudah he-Ḥasid's emigration from Poland to Ereṣ-Israel in the year 1700. This was the first modern organized migration to Palestine involving 1,000 persons and as such was a true harbinger of the new era of Jewish colonization of what was to become the State of Israel.[3]

Similar considerations dictated Dinur's choice of the division of his major historical work, *Toledot Yisrael* (A History of the Jewish People) into two sections: *Yisrael be-Arṣo* (Israel in Its Country) and *Yisrael ba-Golah* (Israel in the Dispersion). In the first volume of this series which appeared in Kiev in 1919 he defined his objective and method as intending "to present a complete historical outline from the beginning of the formation of the people to the present day, narrated and arranged in the language of the sources."[4] Harking back to Täubler's methodological outlook he wished to emphasize above all the existing documentation in its Hebrew originals or translations while reserving the interpretation to introductions and extensive notes. For the gigantic task of collecting materials, including some theretofore unpublished, he had the assistance of a number of his gifted pupils—some of whom have since become scholars of note in their own right—as well as of colleagues and friends. In his quest for accuracy in the Hebrew rendition of sources, written in languages with which he was less familiar, he

[3] See Dinur's collection of essays, במפנה הדורות, Jerusalem, 1955, esp. pp. 13, 19 ff., 26 ff.

[4] See the prefaces to the first and second editions of his ישראל בגולה, Vol. I, Tel-Aviv, n.d.

consulted specialists, although he did not necessarily accept their interpretation. At the same time, he wrote a considerable number of monographs and articles, provided with detailed references to the sources but always enlightened by his own ingenious and often innovative interpretation. The range of these studies extended from the biblical period to modern Russia and contemporary Israel. He also edited a number of volumes of correspondence among scholars and writers. He not only thus enormously enriched our historical knowledge by his direct contributions, but by raising significant questions he also stimulated others to search for answers.[5]

Ever full of ideas and endowed with immense energy to carry them into effect, Dinur also initiated a number of important research projects and succeeded in finding the necessary personnel and funds for setting them in motion. He thus became the co-founder of the leading bibliographical journal, *Kirjath Sepher*, and the historical quarterly *Zion*, the latter published by the Israel Historical Society which he helped to call into existence. To his initiative to a large extent we owe the publication of the *Sefer ha-Yishuv*, 2 vols., 1939–44; the *Sefer ha-Ṣiyyonut*, 2 vols., 1938–54; the *Toledot ha-Haganah*, 1954–59; and other works. On his initiative, too, a considerable number of critical editi ons of important historical texts appeared in the series called *Sifr[i]yah historiografit*.

Most recently, the historian turned to the more contemporary scholarly investigation of the great Holocaust. It was under his prompting that the Yad Vashem was established in Jerusalem; he served as its first president in 1953–59. The objective of this vast undertaking was not only to collect all possible data relating to Jewish communities and individuals victimized by the Nazi "final solution," but also to publish extensive bibliographical handbooks to facilitate future research in this important field. In his Foreword

[5] On his rich scholarly and publicist output see the massive bibliographies of his writings, successfully compiled by B. Schochetman in *Sefer Dinur* (The Dinur Jubilee Volume), Jerusalem, 1949, pp. 425–47; Daniel J. Cohen in *Zion*, XVIII (1953), 169–77; anonymous, *ibid.*, XXIII–XXIV (1958–59), 102–108 (listing a total of 485 numbers up to 1958). Hopefully these bibliographies will be brought up to date.

to the first of these detailed compilations, *The Guide to Jewish History under Nazi Impact*, he declared:

> The attempt to implement this mission implies the will to preserve for future generations the memory of the horrors and the heroism, both known and unknown, that were part of the fight for the image of Man and Death. The main concern, however, is to teach the coming generations how deeply the Nazis affected the spiritual and moral climate of the entire world by planning and executing the mass destruction of the Jewish people. It seems that our generation is not yet capable of realizing the horror of that time. Moral and spiritual bacteria gained entry into the depth of human society, affecting all peoples in all countries, all groups and all circles.[6]

All these undertakings represent but a fraction of the creative scholarly contributions made, or initiated, by a man whose fertile imagination and warmth of personality made collective work under his guidance a joy for all his collaborators. But even in his advanced age he never stopped working. In fact, every visitor was amazed at the vast and ramified plans for work he still had ahead of him. He was happy to show every informed guest the large closet of manuscript materials, notes, and little drafts which he had prepared and assembled over the years for what seemed to become an entire library of future contributions. It is only to be hoped that some of his earlier coworkers will feel it incumbent upon themselves to review these valuable source materials and make them progressively accessible to the public in significant publications. Certainly, the State of Israel should be proud to help to bring to realization at least some of the more important plans conceived, and partially executed, by one of its most dedicated and illustrious citizens.

Salo W. Baron

[6] Jacob Robinson and Philip Friedman, eds., *Guide to Jewish History under Nazi Impact*, with Forewords by Benzion Dinur and Salo W. Baron, New York, 1960, p. xviii.

NECROLOGY

WALTER J[OSEPH] FISCHEL
(1902–1973)

Born in Frankfurt-am-Main where he was given a traditional Jewish education (it guided him throughout his life), Professor Fischel left Germany to settle in Palestine which was his home until 1945. He was granted a doctor's degree by the Hebrew University, and served as a member of its Faculty of Oriental Studies. His connections with the University also involved him in frequent journeys to various countries, including the United States. In 1945 he was appointed Professor of Near Eastern Languages and Literature at the University of California at Berkeley and he continued to teach there until his retirement in 1970. During the first ten years, he was also Chairman of the department. After retirement, he served as Professor of Jewish Studies at the University of California at Santa Cruz.

His first published work was the monograph *Jews in the Economic and Political Life of Medieval Islam* (1937; reprinted in 1969 under the title *The Court Jew in the Islamic World*). This study, which was favorably received in the scholarly community, revealed the important role Jews played in the medieval Islamic economy in the area of banking and finance, and the increasingly dominant influence which these bankers and financiers exerted in the Jewish community of the tenth through the twelfth centuries by dint of their position as court-Jews in Bagdad or Cairo.

History was his main field of interest, and within this discipline he felt a special predilection for biography. For example, in a study of *The Bible in Persian Translation*, he demonstrates that versions of books of the Bible, including the Pentateuch, are found in Iran or in European and American libraries which are earlier than the translation of Jacob Tavus (1546) published in the London

Polygot Bible. Some of the discoveries of Mss. were made by the Italian Giambattista Vecchietti (1552-1619). The title of this study notwithstanding, a large part of it tells the story of this traveler, and his fall from high position to poverty. Fischel also wrote two books on the celebrated Moslem historian Ibn Khaldūn — one on his stay in Egypt from 1382 to his death in 1406, recounts the shifting role of Ibn Khaldūn as ḳāḍi or chief ḳāḍi of the Malikites (he was appointed six times), and his meeting with Tamerlane. This monograph also contains an examination of the historiography of ibn Khaldūn, and the influence on his work of Mas'uedi's *The Golden Meadows*. In the second book, devoted to the encounter with the Mongol conqueror of the Ottomans Fischel relates in detail both ibn Khaldun's preparations and his meeting with Tumerlane in Damascus.

Professor Fischel is the author of book-length histories of *The Jews of India and the Jews of Iran and Central Asia*. His efforts to unveil the story of Jewish communities in the vast Asian continent are certainly praiseworthy, especially since so little information has been uncovered about the life and activities of those Jewish communities outside Europe. Professor Fischel deserves our thanks for what he has contributed to the scant knowledge we possess of the still inadequately retrieved account of those communities.

He labored hard and painfully to collect whatever he could find in all manner of depositories of the beginnings of Jewish settlements in Persia, India (Cochin) and other communities. His exposition generally centers on an individual or a small group whose career he finds it possible to trace and whom he can single out as the founders of the Jewish community in those lands and elsewhere. If the net result of these arduous studies is acquaintance with a merchant or an industrialist who ventured into a hitherto unfamiliar locality, and was the first of an eventually larger body that came to reside there, it illustrates the manner in which settlements began in the past. Even in our time, the start of a Jewish population in some town is in many instances the consequence of one or two individuals who were adventurous enough to move "beyond the pale," and succeeded in their attempt.

Professor Fischel was a well traveled scholar. Through contact with residents he learned the beginnings and traditions of the places in which he encountered Jews. As recently as 1972 he journeyed to Asia and spent time in India. He was a genial person, a good mixer, a sincere friend. He participated actively in the work of the Academy, and was always ready to do what he was asked for the good of the society. May his memory be blessed.

A. S. Halkin

NECROLOGY

ABRAHAM JOSHUA HESCHEL
(1907–1972)

Abraham Joshua Heschel was born in Warsaw in 1907 the descendant of a distinguished Ḥasidic dynasty which traced its lineage, on his father's side, to the Maggid of Mezeritch and Joshua Heschel of Apt, and, on his mother's side, to Levi Isaac of Berditchev. During his formative years he received a thorough education in Biblical, Rabbinic, Kabbalistic, and Ḥasidic learning which, together with the patterns of piety he experienced, informed his life and writings. In 1927 he came to Berlin where he enrolled as a student of philosophy and semitics at the University and, concurrently, at the Hochschule für die Wissenschaft des Judentums. The years in Berlin introduced him to methods of critical scholarship and to modern philosophy and literature, which posed for him problems which he set out to solve in his later work. He received his Ph.D. from the University of Berlin in 1933 and he graduated from the Hochschule one year later.

The Berlin period marked the first phase of Heschel's literary activity. In 1935 he published his first German book, *Maimonides: eine Biographie*, which was translated into French the following year. This first work already revealed Heschel's many gifts. Written in exemplary German and demonstrating Heschel's mastery of primary and secondary sources, *Maimonides* presents a fascinating intellectual biography of the great medieval sage, of interest to the scholar and educated layman alike. Heschel foreshadows his own philosophy when, in the last chapter, he describes how the aged Maimonides turned from abstract philosophic speculation to the imitation of God expressed in service to his fellow man. In 1936 the Polish Academy of Sciences published his doctoral dissertation, *Die Prophetie*, and in 1937 there followed a small mono-

graph, *Don Jizchak Abravanel*, which appeared in a Polish translation in 1938.

In 1937 Martin Buber invited Heschel to join him in the Mittelstelle für die jüdische Erwachsenenbildung and to teach at the Jüdische Lehrhaus, which had been founded by him and Rosenzweig. With the expulsion of Polish Jews by the Nazis in 1938, Heschel returned to his native Warsaw where he taught for eight months at the Institute for Jewish Studies. In 1939 he emigrated to England where he founded the Institute for Jewish Learning in London. At the invitation of the Hebrew Union College in Cincinnati he came to the United States in 1940 and served on the faculty of this institution, first as instructor and then as associate professor of Jewish Philosophy and Rabbinics. In 1945 he became Professor of Jewish Ethics and Mysticism at the Jewish Theological Seminary of America and he occupied this position until his death on December 2, 1972. He is survived by his beloved wife Sylvia, a concert pianist, and daughter Susannah, a graduate student in Religion. He was elected a fellow of this Academy in 1952 and became a member of its executive committee in 1954.

Heschel was a prolific writer of broad and varied interests, who was equally at home in traditional Jewish sources and modern philosophy, literature, and theology. His mastery of Jewish sources and his intense feeling for the historical experience of the Jewish people placed him among those modern Jewish theologians who wrote from "within" rather than from "without". Whether Heschel wrote on scholarly subjects or presented his own thought, his writings were marked by a felicity of style and expression and his mastery of all the languages in which he wrote — German, English, Hebrew, and Yiddish — was astonishing.

Heschel continued to write on Medieval Jewish Philosophy in the late 1930's and the 1940's and there appeared articles on the philosophy of Ibn Gabirol, Saadiah's theory of knowledge, Maimonides' account of prophecy, and on the Holy Spirit (*ruaḥ ha-qodesh*) in medieval Jewish Philosophy. But, at the same time, his interests began to turn into other directions. In 1951 he published *The Earth is the Lord's*, a moving tribute to the extinct Jewish communities

of Eastern Europe, the memory of which he carried in his heart throughout his life. The essays of this period deal with the great themes of Jewish life and thought — prayer, holiness, piety, and faith. In 1951 there appeared *The Sabbath*; *Its Meaning for Modern Man* and in 1954, *Man's Quest for God*: *Studies in Prayer and Symbolism*.

By the beginning of the 1950's Heschel was ready to publish his own philosophical and theological reflections. In 1951 there appeared *Man is not Alone*, subtitled "A Philosophy of Religion", which was followed, in 1955, by *God in Search of Man*, subtitled "A Philosophy of Judaism". These two books, undoubtedly his most important and challenging contributions to contemporary philosophy of religion and Jewish thought, established Heschel as a thinker of note for Jews and non-Jews alike.

Heschel's own philosophy defies any easy description and he himself rejected any facile classification. When it was suggested to him in conversation that he was a mystic, an existentialist, or, possibly, a Neo-Ḥasid, he firmly rejected any such identification — though it is undeniable that mystic, existentialist, and Ḥasidic elements are present in his thought. However one may characterize Heschel's final position, it is clear that a rationalistic approach to God and religion (with which he was thoroughly familiar) did not appeal to him and that he looked to religious experience for the foundations of his thought. But religious experience was important for him not so much for the psychological categories it provided, but for the insights into reality and human existence which it could yield.

Heschel wrote for modern man (uprooted and skeptical in temper) and attempted to open up for him dimensions of awareness beyond the aspects of reality investigated and described by modern science. Religion (as all knowledge) begins with wonder and radical amazement and it is not exhausted by belief, dogma, or ritual. It addresses itself to the total human situation and attempts to provide answers to man's ultimate questions. It requires an openness to all aspects of human experience and it leads to the perception of the sublime and ineffable mystery — the mystery which leads to God. God, for Heschel, is not the God of the philosopher,

who is an idea or ultimate principle derived from an analysis of the world; but God is the God of the Biblical prophets, who is concerned with man — more than that, who is in need of man. Perhaps the most original aspect of Heschel's theology is his conception of "divine pathos", a theme which he had already explored in *Die Prophetie*. While the God of the philosophers is "all indifference", the God of the prophets is the God of "love, mercy, or anger", the God who is "in need of human righteousness". "The Bible", Heschel writes, "is not a history of the Jewish people, but God's quest of the righteous man". God, God's concern for man, and man's response to God are the basic themes of Heschel the theologian.

After the publication of his two major works Heschel continued to write articles and books, but in the early 1960's another facet of his personality came to the fore — Heschel the social activist, the forceful spokesman for humanitarian and Jewish causes. He participated in the movement for civil rights, spoke out against the war in Vietnam, met with the Pope on matters of Jewish concern, became a spokesman for the cause of Soviet Jewry, and eloquently defended the State of Israel's right to exist in the community of nations. He participated in White House conferences on aging, spoke to the American Medical Association on the patient as person, and, at conferences, defined for rabbis, cantors, and Jewish educators their religious and communal tasks. The professor of Jewish Ethics was now engaged in translating Jewish ethical teachings into the realities of day-to-day concerns.

Heschel's literary activity during the 1960's and early 70's was varied and extensive. In 1962 and 1965 respectively, he published two volumes of an ambitious Hebrew work, *Torah min ha-Shamayim be-Aspaqlariyah shel ha-Dorot* (the English title-page reads: *Theology of Ancient Judaism*) in which he traces the great issues of rabbinic thought and in which he proposes the thesis that Rabbi Akiba and Rabbi Ishmael present not only two approaches to *halakhah*, but to *aggadah* as well. In 1962 there appeared *The Prophets* (an English version of *Die Prophetie*) and in 1965 *Who Is Man?*, the Raymond Fred West lectures he had delivered at

Stanford University. In 1966 he published a volume of essays and addresses, *The Insecurity of Freedom*; *essays in human existence* and in 1967, *Israel*: *An Echo of Eternity*.

Heschel came full circle in his last two books and it is peculiarly appropriate that he should return to the Ḥasidic traditions from which he had sprung and to Yiddish, the mother tongue by which he had been nourished. He had written on Ḥasidic masters before, but in the year of his death there appeared *Kotzk* (in Yiddish), a perceptive tribute to Menahem Mendel of Kotzk. In 1973 there appeared *A Passion for Truth* in which Heschel contrasts the teachings of the Ba'al Shem, the master of love, joy, and compassions with those of Menahem Mendel of Kotzk, the striver for truth and honesty. Perhaps these last two volumes provide Heschel's own epitaph, for it is not far-fetched to state that his life was marked by love, joy, and compassion and by honesty and the constant search for truth. Heschel's life and writings were a blessing to his family and to his many students, colleagues, and friends and they will remain a blessing for many generations to come.

Arthur Hyman (in collaboration with Ruth Link-Salinger)

NECROLOGY

LEO STRAUSS
(1899–1973)

Leo Strauss, who died on October 18, 1973 in Annapolis, Maryland, was born in Kirchhain, Hesse (Germany) on September 20, 1899. After graduation from gymnasium in 1917 and wartime service in the German army he studied at the universities of Marburg (where he struck up a lifelong friendship with the classicist, mathematician and philosopher Jacob Klein), Hamburg (where he took his degree of Doctor of Philosophy under Ernst Cassirer in 1921), and Freiburg (where he did post-doctoral work under Edmund Husserl and Herrmann Ebbinghaus, and attended lectures by Martin Heidegger). Judging from "A Giving of Accounts" jointly by him and Jacob Klein in 1970 (*The College*, Annapolis, April 1970), Ebbinghaus introduced him to Hobbes, and Heidegger's interpretation of the beginning of Aristotle's *Metaphysics* taught him the art of how to treat a philosophical text. It also seems that it was his friend Klein who convinced him of the necessity to turn to classical philosophy, especially Plato, for guidance. The theme of ancients versus moderns never ceased to dominate his thinking. Yet his primary interest in those formative years, he confessed, was in theology, and here the impetus came from the resurgence of theological concerns in the period after World War I. It is significant that he visited Franz Rosenzweig after his stay in Freiburg, and that he dedicated his first book to him. His brilliant academic career started with the appointment to a research fellowship at the Berlin Academy for the Science of Judaism, a post he held from 1925 to 1930. In 1932 he left Germany. He spent some years as a Rockefeller fellow in the social sciences in France and England. In Paris he met Alexandre Kojève and in Cambridge he became acquainted with Ernest Barker. His stay in England

facilitated the translation, from the German manuscript, of his study of the political philosophy of Hobbes. The book appeared in Oxford in 1936 (later editions: Chicago, 1963, 1966), and made him more widely known than his previous publications. After his immigration to the United States in 1938 he joined the Graduate Faculty of Political and Social Science of the New School for Social Research in New York. His book *On Tyranny* was written during his tenure of office there. In 1949 he became a professor of political science at the University of Chicago, and in 1959 he was made the Robert M. Hutchins Distinguished Service Professor of Political Science. Upon his retirement in 1967 he was awarded the title of Professor Emeritus. He continued to teach, first at Claremont Men's College, and later as the first Scott Buchanan Distinguished Scholar in Residence of St. John's College in Annapolis, Maryland, the position he held at the time of his death. He was a fellow of the American Academy of Arts and Sciences; of the American Academy for Jewish Research; and a member of the Executive Committee of the Leo Baeck Institute, New York. Joseph Cropsey edited *Ancients and Moderns; essays on the tradition of political philosophy in honor of Leo Strauss* (New York, 1964). "The Achievement of Leo Strauss" was evaluated by four of his disciples (Walter Berns, Herbert J. Storing, Harry V. Jaffa and Werner J. Dannhauser) in the *National Review* of December 7, 1973.

Strauss' literary output was extremely rich in important works and it may be divided into two major sections comprising (a) the writings concerned with political science in general, and (b) those dealing with the theologico-political aspects of Judaism in particular. Yet there is no strict demarcation line between the two areas. His *Die Religionskritik Spinozas als Grundlage seiner Bibelwissenschaft* (1930; *Spinoza's Critique of Religion*, 1965) clearly belongs to both. It led him to Hobbes on the one hand, and to Maimonides on the other, as he himself reported; and the subject had aroused his interest because Spinoza's *Tractatus* was the "classic document of the attack on orthodoxy within Judaism" and, at the same time, offered a possibility of testing the degree of

success or failure of the Enlightenment in its effort to undermine all orthodoxy, Jewish and Christian. Similarly, *Persecution and the Art of Writing* (1952) presented a generally valid thesis developed chiefly from an analysis of Jewish sources. The discovery of esotericism in Maimonides and others owed a great deal to Strauss' study of Lessing's theological writings, as he liked to point out, and it is quite obvious that Jewish and non-Jewish elements of thought fruitfully mingled in his mind. A profound underlying concern for an understanding of what was involved in religion and philosophy was responsible for the remarkable unity of purpose and inner consistency of all he wrote. Nothing was more alien to him than arid compartmentalization.

Works of his that may be listed under rubric (a) are *The political philosophy of Hobbes; its basis and its genesis* (1936, 1963, 1966); *Natural Right and History* (1953, 1963); *On Tyranny*, rev. ed. (1963); *Thoughts on Machiavelli* (1958); *What is political philosophy and other Studies* (1959); *History of political philosophy*, ed. by Leo Strauss and Joseph Cropsey (1963, 1969); *The city and man* (1964); *Socrates and Aristophanes* (1966); *Xenophon's Socratic Discourse* (1970); *Xenophon's Socrates* (1972). A book on Plato's *Laws* is scheduled to appear posthumously.

The writings that come under rubric (b) are a series of penetrating studies in Jewish philosophy. As research fellow at the Berlin Academy he produced, in addition to his work on Spinoza, volumes II and III.1 of the Academy-sponsored Jubilee Edition of Moses Mendelssohn's Works jointly with Fritz Bamberger (1931; 1932), and he completed in 1937 volume III.2, long after he had left Germany. This volume, which contains his masterful introduction to, and fully annotated critical edition of, Mendelssohn's last writings (those concerned with Lessing's alleged pantheism), had to wait for its publication until 1974. In 1935 his provocative book *Philosophie und Gesetz* offered a new perspective in the interpretation of Maimonides in opposition to Julius Guttmann's, and an article of his in the *Monatsschrift* of 1937 discussed Maimonides' doctrine of Providence in the incisive and probing manner one had learned to expect of him. Maimonides continued to fascinate

him, as is evidenced by his essay on the literary character of the *Guide* in *Essays on Maimonides*, ed. by Salo W. Baron (1941; 1966) and the introductory essay he wrote for the new translation of the *Guide* by Shlomo Pines (1963). So much had he immersed himself in the attempt to disentangle Maimonides' presumed esotericism that he discovered strange keys and often abstruse answers. The comparison with Beethoven's last quartets may not be completely out of place. One finds a similar wilfulness of exegesis in his lecture *Jerusalem and Athens* (The City College New York, 1967). The political orientation predominates in two other studies of his that are not directly related to Maimonides, viz. "On Abravanel's philosophical tendency and political teaching" in *Isaac Abravanel*, ed. by J. B. Trend and H. Loewe (1937) and "The Law of Reason in the Kuzari," a magisterial piece of work that was published in vol. XIII (1943) of these *Proceedings*. Mention should also be made of his introductory essay to Simon Kaplan's English translation of Hermann Cohen's *Religion of Reason* (1972). Cohen's critique of Spinoza had challenged him at the beginning of his career to reexamine the latter's attack on orthodox religion, and in *Philosophie und Gesetz* he had quoted Cohen's utterance about Maimonides being more of a Platonist than an Aristotelian, thereby claiming Cohen's support for his political interpretation of Maimonides' *Guide*. Introducing the *Religion of Reason* and, more so, its author to English readers was more than an act of piety. It meant that the circle of his life's course was complete.

The death of Leo Strauss has deprived American political science of one of its most distinguished and influential teachers. It has removed from the world of Jewish scholarship one of its noblest and most cultivated minds, a rare spirit of truly philosophical ethos and profound reverence for the Jewish tradition.

Alexander Altmann

NECROLOGY

HARRY AUSTRYN WOLFSON
(1887–1974)

Harry Austryn Wolfson, Nathan Littauer Professor of Hebrew Literature and Philosophy at Harvard since 1925, was first and foremost a scholar. In many respects, he resembled an uncrowned and unwreathed scholar laureate of this generation. Totally un-Aristotelian, shunning moderation in his extreme, all-consuming devotion to learning, he converted his life into an *itinerarium mentis*. Interpreting "ḥasid" in terms of radicalism, extremism, "particular scrupulousness and deviating from the mean", Professor Wolfson could be described as *ḥasid shebemeḥkar*, the radical Jewish scholar. He transcended all formal requirements and academic conventions, pursuing his scholarly preoccupation with zest and love, singleness of purpose and clarity of destination.

I

His intense, unqualified commitment to scholarship bore a ripe, luscious and attractive fruit. His many well-known and justly celebrated volumes are monuments to the purity and pertinacity, perspicacity and profundity of his life's work: *Crescas' Critique of Aristotle*: *Problems of Aristotle's Physics in Jewish and Arabic Philosophy* (1929); *The Philosophy of Spinoza*: *Unfolding the Latent Processes of His Reasoning*, 2 vols. (1934); *Philo*: *Foundations of Religious Philosophy in Judaism, Christianity and Islam*, 2 vols. (1947); *The Philosophy of the Church Fathers* (1956); *The Philosophy of Kalam*, (due in 1975); and *Kalam Repercussions in Jewish Philosophy* (ready in galleys). There are, in addition, three sizeable collections of papers and articles, some of them full-fledged monographs [e.g. "The Classification of Sciences in Medieval Jewish Philosophy", or "The Internal Senses in Latin, Arabic and

Hebrew Philosophic Texts"]; *Religious Philosophy: A Group of Essays* (1961); *Studies in the History of Philosophy and Religion*, v. I (1973), v. II (1975).

Each one of these large tomes, each one in its own right, would and could be a scholar's pride; each one would amply justify a life-time devoted exclusively to Hellenistic, *or* to patristic, *or* to Islamic, *or* to scholastic, *or* to Jewish scholarship.

His files contain many unpublished works, most notably: (1) a volume on Greek philosophy, planned as an introduction to the series on "Structure and Growth of Philosophic Systems from Plato to Spinoza"; (2) the second volume of the Philosophy of the Church Fathers; (3) the volume on Medieval Jewish Philosophy; (4) as well as a third volume on Spinoza which was intended to appear together with a revision of the original work. I mention these volumes not because they bring more "coals to Newcastle" but because their existence in manuscript, along with scores of other articles, underscores the dynamism of Wolfson's scholarship — imaginative exploration and relentless re-evaluation.

This is the real measure of Harry Wolfson, of his intellectual daring and imaginativeness; starting as a student of medieval Jewish philosophy, he burst the recognized bounds and bonds of specialized, sometimes provincial scholarship and then patiently but vigorously brought within his purview the entire history of philosophy, moving with verve and aplomb and delicacy from pre-Socratics to neo-Kantians, from Greek atomists to American pragmatists. He sought challenging problems, unexplored sources, and uncharted lanes of philosophy. One is enthralled by the pageantry and vitality of this wide-ranging scholarship which is marked by luminous style, fastidious reasoning, great erudition, unusual skills of classification, a happy marriage of philosophical perceptivity and philological precision. This thoughtful, tireless scholar, cloistered most of his life in Widener Library, was able to combine unflagging attention to detail — stylistic, structural, or substative — with original powers of synthesis. While elucidating difficult texts and knotty passages in Averroes or Gersonides, Aquinas or Falaquera, and reconstructing medieval views on divine attributes, pro-

phecy and causality, he also clearly formulated a new scheme for the periodization of the history of philosophy — in which Jewish philosophy from Philo to Spinoza was crucial — and expounded, more allusively, a philosophy of the history of philosophy — in which religious thought played a major role. In the process he provided a resoundingly affirmative answer to the question as to whether or not there is such a creature as Jewish philosophy, a question which had been answered negatively by many serious scholars. It was Wolfson's contention that not only is there such an intellectual entity as Jewish philosophy but that it is the very core, the essence, of all religious philosophy for seventeen centuries — and, in residual form or unacknowledged guise, down to our own time.

His conception of the history of philosophy and his method of minute textual-philological study — what he called the hypothetico-deductive method or the method of conjecture and verification and what was in essence the traditional Talmudic method — led him to question accepted positions and to reject the bland restatement of comfortable but unconfirmed propositions. This effective expose of anodyne scholarly orthodoxies was regularly done with wit and subtlety, grace and poignancy. Whether he was attacking Hegel's Christianizing perception and periodization of the history of philosophy or a variety of contemporary conceptions and interpretations of aspects of the history of philosophy and religion, he showed how one could be critical without becoming demeaning. He, in turn, was not swayed by scholarly fads, did not join apparently successful, fashionable "schools" and did not succumb to the use of flashy academic jargon, though he felt — sometimes agonizingly — that this was restricting the impact of his own views and preventing them from earning wide currency. He particularly regretted that his central thesis about Philo, the first-century Jew of Alexandria, and Spinoza, the seventeenth-century Jew of Amsterdam, as the pivots of "medieval" philosophy was not widely influential.

II

Harry Wolfson was born on November 2, 1887, in Ostrin, Lithuania, and died on September 20, 1974, in Cambridge, Massachusetts. His life — its greatness and creativity as well as its tension and increasing loneliness of his later years — is symbolized by his odyssey from Ostrin through Grodno, Slonim, Bialystok, Kovno, Slobodka and Vilno to Cambridge, with brief stops in New York and Scranton, Pennsylvania. This student of Santayana — Wolfson came to Harvard toward the end of its so-called golden age in Philosophy (Josiah Royce, William James, George Santayana) — had attended the last *mussar* lecture (a discourse combining homiletics, exegesis and theology, geared to stimulating and/or sustaining the individual's quest for ethical perfection) delivered by the famous R. Yitzhak (Itzele) Blazer at the yeshivah of Slobodka prior to his becoming the rabbi of Petersburg. We have here an effective symbol of the two worlds which constituted Professor Wolfson's universe. Equally symbolic is the fact, which he was wont to mention in the last months of his life, that he was the oldest living contributor to both the *Jewish Quarterly Review* and the *Harvard Theological Review* — and it is noteworthy that his first published article ("Maimonides and Halevi: A Study in Typical Jewish Attitudes towards Greek Philosophy in the Middle Ages") appeared in the *Jewish Quarterly Review*, 1911, and his last published piece ("Answers to Criticisms of My Discussions of the Ineffability of God") is appearing, in a belated issue of the *Harvard Theological Review* (1974). His honorary degrees came from the Jewish Institute of Religion (1935), Jewish Theological Seminary (1937), Hebrew Union College (1945), Yeshiva University (1950), and Dropsie College (1952) as well as from the University of Chicago (1953), Harvard University (1956), Brandeis University (1958), Columbia University (1970) and Stonehill College (1973). He was a founding member, fellow and past president of the American Academy for Jewish Research, as well as fellow of the Medieval Academy of America, American Philosophical Society, American Academy of Arts and Sciences and past President of the American Oriental Society. He received the American Council

of Learned Societies award for distinguished scholarship in the Humanities and the Kaplun Prize awarded by the Hebrew University for distinguished research and scholarship in Judaica. As first incumbent of the first chair in an American university fully devoted to post-Biblical Jewish studies, he played an important role in the institutionalization and professionalization of Jewish studies and their spread across the American campus.

III

In 1921, at the dawn of his scholarly career, he penned the following lines:

> Once, in a great library, I was walking through the narrow aisles between long rows of book-selves stocked with the works of the church writers. Every great thinker of the church whose teachings helped to mold Christian thought and tradition was represented there by his writings. There were the old Church Fathers, both those who wrote in Greek and those who wrote in Latin; there also were Augustine the saint and Abelard the erratic, the great Albertus and Thomas, he of Aquino. Hundreds upon hundreds of volumes, the choicest products of the printer's art of Venice, Basel, Leipzig, Paris, and Rome, bound in pigskin and in morocco leather, with gilded back and bronzed corners, all were gathered together, standing there in the open shelves, offering themselves for use and for study. And looking at that wealth of magnificent volumes, I thought of those shabby tomes which incarnate the spirit of Saadia, Halevi and Maimonides, of those unpublished works of Gersonides, Narboni and Shem-tobs, scattered all over the world and rotting in the holds of libraries; and I was overcome by that feeling of sadness and sorrow which to our forefathers was ever present throughout their exiled life amid the foreign splendor of European cities, a feeling so well expressed in the touching prayer:
>
> "Lord, I remember, and am sore amazed
> To see each city standing in her state,
> And God's city to low grave razed."

One may see in these words more than just the stirrings of a scholarly consciousness.

His abiding appreciation of traditional Judaism was a formative and pervasive — and sometimes enigmatic and unsettling — influence.

Professor Wolfson, a great and honest scholar, a laconic and lonely person, left a rich and inspiring legacy.

Isadore Twersky

NULLIFICATION OF IDOLATRY IN RABBINIC LAW

BY GERALD BLIDSTEIN
Tel-Aviv University

In this study[1] I shall examine Talmudic law regarding the destruction and nullification of idolatrous objects. This essay describes the development and elaboration of rabbinic law on this topic, and considers the conceptual and historical significances of this body of teaching. The related concepts of destruction and nullification shed powerful, if indirect, light upon the Jews' perception of the alien culture against which they defined themselves, and perhaps, upon their social and economic relationships with that culture.

I

The negative Biblical attitude towards idolatry found very concrete expression, favoring the destruction of idols and artifacts of the pagan cults.[2] "You shall break down their altars, and dash in pieces their pillars, and you shall cut down their Asherim" (Ex. 34:13); "you shall... burn their graven images with fire" (Deut. 7:5); "you shall... burn their Asherim with fire, and you shall hew down the graven images of their gods, and you shall destroy their name out of that place (Deut. 12:3)." Moses' treatment of the Golden Calf is paradigmatic: "And he took the calf... and burnt it with fire, and ground it to powder, and strewed it

[1] Some of the sources cited in this study are also directly relevant to the issue of the rabbinic attitude to plastic art. Inasmuch as I hope to present a detailed study of that topic, I shall defer consideration of many peripheral aspects of such sources to that study, where they are more appropriate. For a brief survey, see my "Tannaim and Plastic art," *Prespectives in Jewish Learning*, V (Chicago, 1973), 13—27.

[2] I am concerned here with ascertaining the forms taken by the negative expressions, not with the broader historical question of whether idolatrous forms were tolerated as well as expunged, and in which contexts.

upon the water, and made the children of Israel drink of it" (Ex. 32:20). Though the specific mode of destruction nicely suited Moses' desire that the sinners drink of their own handiwork, the fact and vigor of his response are archetypal.

Israelite purifications of the community followed the same pattern. Jehu orders the pillars of Baal burned and smashed; the temple of Baal is demolished and used as a privy (II Kings 10:26-27). Josiah not only smashes the pagan artifacts but also pulverizes or burns them, throwing their dust into the brook Kidron and defiling the sites with the bones of dead men (II Kings 23:6, 11–15, 20). Indeed, the prophet declares that ".. by this shall the iniquity of Jacob be expiated...when he makes all the stones of the altar as chalkstones that are beaten in pieces, so that the Asherim and the sun-images shall rise no more" (Isaiah 27:9). The variety in the modes of destruction, the extent of destruction necessary, or the subsequent re-use of these materials, are not raised in the Biblical text, though the action of Josiah suggests an attempt at total eradication. Interestingly, Gideon throws down his father's Baal altar and cuts down the neighboring Asherah, but then builds the altar of the Lord upon the very same site and feeds the fire with the wood of the erstwhile Asherah — a demonstration of the reality and power of the God of Israel (Judges 6:25–26).[3]

The Hasmonean reaction to pagan culture finds similar expression.[4] Judah tears down altars and burns images of the gods of Azotus (I Macc. 5:68); Simon puts all idols out of Gezer (13:47–48).[5] The destruction process by the Hasmonean brothers was so great that the pagan temples could not be used for places of refuge, for these too were burned with their suppliants (5:44;

[3] The rabbis claimed that these incidents reflected a divine dispensation to Gideon, inasmuch as they contravened the law on idolatrous objects: see *Temurah* 28b (R. Abba bar Kahana).

[4] See V. Tcherikover, *Hellenistic Civilization and the Jews* (Philadelphia, 1959), 222.

[5] There is the implication that the idols were expelled, but not destroyed. Cf. also 13:50.

10:84). Jewish inability to tolerate idolatrous images persisted into the Roman period: Josephus' narrations of Jewish willingness to suffer martyrdom rather than allow imperial images into their territory are well known, and the midrash (*infra*) indicates that zealots were wont to destroy idols and their appurtenances whenever possible. The Jews of Egypt and Cyrene destroyed pagan temples and groves, and mutilated the idols, in the revolts of 115–118 C.E.[6] Whether such acts are expressions of primarily social-political antagonisms rather than matters of "disinterested" religious zeal is not our concern at present.

In rabbinic literature, however, we discover a different method of handling idolatrous images and artifacts, a different method that reflects a different approach. (Interestingly, the rabbinic teachings are fully consonant with Biblical law from a juridical point of view.) "Nullification" (בטול) — the withdrawal of significance from an object, a technique that distinguishes between the meaning of the object and its physical presence and thus allows the preservation of the object — replaces destruction. Indeed, the very term for *nullification* is derived from בטל which originally meant *destruction* and still functions in that sense, on occasion, in the Mishnah (*A.Z.* 4.7). Thus the history of the uses of this term — in other areas as well, e.g. *bittul hametz* — reflects the halakhic development from concern with the static physical object, to

[6] S. Applebaum, "The Jewish Revolt in Cyrene in 115–117," *JJS*, II (1951), 177ff, 185ff; V. Tcherikover, *Corpus Papyrorum Judaicorum*, I (Harvard U. Press, 1957), 86–7. *Sifre* Deut. sec. 61 (ed. Finkelstein, p. 127) is most suggestive in this connection: "Perhaps you are commanded to pursue idolatry (לרדוף אחריהם) outside the Land of Israel? Therefore Scripture says: 'And you shall destroy their name from that place (Deut. 12:3)' — in the Land you are commanded to pursue them, but not outside the Land." Deuteronomy 12:1–3 provides ample base, of course, for this *midrash*; and the issue raised by *Sifre* was a ubiquitously live one in the diaspora, where Jews were always engulfed by the idolatrous. Nonetheless, it is clear that the author of this *baraitha* would question (even granting the Maimonidean reading: Code, *Hilkhot Avodah Zarah* 7, 1) the zeal of his diaspora co-religionists.

concern with its fluctuating significance as defined by human relationships and perceptions.[7]

II

Inasmuch as many of the Tannaitic sources bearing on our topic are anonymous, it is difficult to present a strict historical schematization. Moreover, a thematic organization of the material possesses certain advantages. I shall therefore proceed with the latter method, taking account of whatever historical data is available in the sources.

The most explicit and perhaps most crucial evaluation of an idolatrous object by its function occurs in a discussion of its enjoyment and not in a discussion of its destruction.

> Proklos[8] the son of Philosophos asked Rabban Gamliel in Acre while he was bathing in the Bath of Aphrodite, and said to him, 'It is written in your Law, "And there shall

[7] Cf. J.N. Epstein, *Mevo'ot LeSifrut HaTanna'im* (Jerusalem, 1957), 324; H. Albeck, *Mishnah, Mo'ed* (Tel-Aviv, 1958), 137. More precisely, בטל apparently allows for the continued existence of an object but describes the futility or cessation of its function: cf. Brown, Driver, Briggs, *A...Lexicon of the Old Testament* (Oxford U. Press, 1968), 105. Rabbinic terminological development is therefore most apt. (The older sense of the word remains, too: M. IV 7, etc.) The development of the laws of the elimination of *hametz* may offer a suggestive analogy to those of idolatry: cf. also Tosefta *Pesahim* I. 7. But even if the similarity be granted, the question of the impulse for these developments — is there a general conceptual development towards consideration of *status* as over against physical presence, or do different pragmatic needs force the issue in each case — remains open.

[8] Mishnah *Abodah Zarah* III. 4 (H. Danby, trans., p. 440). שאל פרוקלוס בן פלוספוס את רבן גמליאל בעכו, שהיה רוחץ במרחץ שלאפרודיטי; אמר לו: כתוב בתורתכם, ולא ידבק בידך מאומה מן החרם, מפני מה אתה רוחץ במרחץ של־אפרודיטי? ...אמר לו: אני לא באתי בגבולה, היא באת בגבולי. אין אומרים נעשה מרחץ לאפרודיטי נוי, אלא אומרים נעשית אפרודיטי נוי למרחץ. דבר אחר, אם נותנים לך ממון הרבה אי אתה נכנס לעבודה זרה שלך ערם ובעל קרי ומשתין בפניה, וזו עומדת על הביב וכל העם משתינים לפניה. לא נאמר אלא אלהיהם, את שנוהג בו משום אלוה אסור ואת שאינו נוהג בו משום אלוה מותר.

> cleave nought of the devoted thing to thine hand."[9] Why then dost thou bathe in the Bath of Aphrodite?" He answered, 'One does not make answer in the Bath.' And when he came out he said, 'I came not within her limits: she came within mine! They do not say, "Let us make a bath for Aphrodite," but "Let us make an Aphrodite as an adornment for the bath." Moreover if they would give you much money you would not enter in before your goddess naked or after suffering pollution, nor would you make water before her! Yet this goddess stands at the mouth of the gutter and all the people make water before her. It is written, "Their gods,"[10] only; thus what is treated as a god is forbidden, but what is not treated as a god is permitted.'

The reply of Rabban Gamaliel (usually identified as R. Gamaliel of Yavneh, *cir.* 90 C.E.)[11] is literarily and conceptually intricate, and would sustain analysis. Yet it also amounts to one simple assertion: it is not physical identity that constitutes an object idolatrous, but rather, the sanctity attached to the object by the devotees. Conversely, the absence of such sanctity — as indicated by the role of the object in its actual setting — reveals the indifferent quality of the object in the eyes of Jewish law. In rejecting the charge that the Baths of Aphrodite are an idolatrous appurtenance, R. Gamaliel points to the decorative (לנוי) quality of the statue in question and to its degradation; both categories will be crucial in halakhic analysis. Formally, he counters the pagan's citation of Deut. 13:17 with a substantive and pointed exegesis of Deut. 12:3; this exegesis also serves potently as a validation of "nullification".

It is difficult to discern whether these distinctions of R. Gamaliel were opposed or rejected by other sages.[12] The Patriarch was

[9] Deut. 13:17; 7:25. These verses were held to imply a ban on the derivation of any benefit or enjoyment from an idol or its artifacts.

[10] Deut. 12:3.

[11] Cf., e.g., W. Bacher, *Aggadot HaTanna'im* I/i (Berlin, 1922), 65.

[12] Cf., perhaps, M. I. 7 and Rashi 16a s.v. *kippah*; *Ritba* and other standard commentaries as well as W. A. L. Elmslie, *The Mishnah on Idolatry* (Cambridge, 1911), 13–14, though the issue is of course different; R. Hoshayyah, 44b, etc.

being lenient, after all, on a subject that on other occasions demanded martyrdom; his leniency, moreover, was not academic but affected the very routine of Jewish life.[13] Yet subsequent sources clearly demonstrate that his approach defined the attitude of the mainstream of Jewish teaching on the topic. A good instance lies in the opinion of the Patriarch's son, R. Simeon b. Gamaliel:[14]

> If one finds utensils upon which is the figure of the sun or moon or a dragon, he casts them into the Salt Sea.[15] Rabban

But Bacher's citation of Tosef. *Mikva'ot* 10.3 (*op. cit.*; Strack-Billerbeck *Kommentar zum Neuen Testament usw.* [Munich, 1922–8], IV/i, 385) seems beside the point; the issue of that text is, most likely, the ritual fitness of gentile baths. Cf. n. 13, *infra.*

[13] Historians have often viewed this incident as part of a general policy of compromise or rapprochement with Greek culture. Schuerer, *A History of the Jewish People in the Time of Jesus*, trans. Taylor, (2nd ed.; Edinburgh, 1885), II, pt. 1, 53 is most extreme in asserting that Gamaliel's justification "was by no means generally recognized as valid in the sphere of legalistic Judaism." Note also S. Baron, *A Social and Economic History of the Jews*, (2nd ed; Philadelphia, 1952), 141 2; M. Avi-Yonah, *Geschichte der Juden im Zeitalter des Talmud* (Berlin: Gruyter, 1962), II, 71, who points to the Patriarchal policy of accepting the externals of Greek culture.

[14] M. III. 3: – המוצא כלים ועליהם צורת החמה, צורת הלבנה, צורת הדרקון יוליכם לים המלח. רבן שמעון בן גמליאל אומר: שעל המכובדין אסורים, שעל המבזין מתרין....

Cf. A. Kaminka, *Mehkarim* (Heb.), II (Tel-Aviv, 1951), 24, par. 83. Note also that Mishnahs 3 and 4 utilize the same proof text, thus providing a literary reason for their juxtaposition (Strack, *Introduction to Talmud & Midrash*, 251, n. 63).

[15] The requirement that objects be left in the Dead Sea is usually found in connection with monies that cannot be used (cf. M. *Me'ilah* III, 2; *Nazir* IV, 4; *Temurah* IV, 2, etc.) and were to be left where none would chance upon them (so already Maimonides, *Perush HaMishnah Temurah* IV, 2) as destruction was impossible or difficult. Our Mishnah apparently deals with metal utensils, where burning is both difficult and does not really destroy (see on), and thus conveyance to the Dead Sea is imposed. R. Yose's suggestion that such utensils (or idolatry in general: cf. Albeck, *Mishnah*, *Nezikin*, 332; Tosefta, A.Z.3 [4]. 19, p. 465 line 13 according to Erfurt ms.) be ground and then scattered seems quite apt (cf. M. *Pesahim* II, 1), and its rejection by the Sages ("they said to him: it too becomes manure," so that benefit is being derived from the erstwhile idol) is a forced and severe reinterpretation of conveyance to the Dead Sea, (see, for fruits, *Tosefta op. cit.*; one could easily locate a barren area) and would testify to this spirit in the post-Bar Kohkba generation (see on). Might it be possible to

> Simeon b. Gamaliel says, 'If it is upon precious utensils they are prohibited, but if upon common utensils they are permitted.'

For the anonymous halakha, an image is an image; here, perhaps, we find a view implicitly contrary to that of Rabban Gamaliel. Indeed, this Mishnah — including the more lenient view of R. Simeon b. Gamaliel — represents a rigorous posture on the artifacts of idolatry. Though there is no assertion that the vessel in question played any role in cult, the presence of the image dictated that the entire vessel or object be considered idolatrous, ruling out the option of destroying the image but retaining the utensil. It is conceivable that other approaches to this sort of question could exist. Thus, the image might have been declared subordinate to the vessel it decorated, in which case the neutral character of the utensil would have extended to the image; or the image might be

take the answer of the Sages as an ironic retort to the scrupulous R. Jose of M. III, 8? In the *baraitha* cited b. 44a the Sages concede to R. Jose that such scattering on a barren site (Kidron) is permitted, but this response is lacking in the parallels (*Tosefta op. cit.*; p. 3:3;), and is itself, difficult (cf. Talmud *ad loc.*). (The give-and-take in the parallels, consisting solely of citations of II Ch. 15:16 and I Kings 15:13 is enigmatic; perhaps R. Jose cited *Chronicles* to support destruction by grinding alone, and the sages countered with *Kings* indicating that everything had ultimately been burned.) The Tannaitic midrash does suggest the possibility that such metals may be reduced to an undifferentiated, neutralized, and indeed usable mass: "'And they despoiled the Egyptians.' This means that their idols melted, thus ceasing to be idols and returning to their former state" (*Mekhilta, Pasha*, 13; ed. and trans. J.Z. Lauterbach, I, 106): וינצלו את מצרים – מלמד שעבודה זרה שלהם נתכת ובטלה וחוזרת לתחלתה (מכילתא דר"י, מהד' הורוביץ־רבין, ע' 47). Lauterbach takes בטל as a juridic term, see n. 7. The context of the comment suggests that these materials were among the spoil taken by the departing Israelites; see Horowitz-Rabin, *ad loc.*; M. Kadushin, *A Conceptual Approach to the Mekilta* (New York, 1969), 150. The "melting" of idols, moreover, may have been a recommended, and not merely an apocalyptically expected, mode of destruction: see *Mekhilta, Parsha*, 7 (ed. Horowitz-Rabin, 24, ll. 3–6), and *Midrash Tehillim*, ch. 31 (ed. S. Buber, 238, par. 4 end). The possibility that a certain level of destruction might make the idol usable again irrespective of the attitude of its erstwhile worshippers does not emerge, however, as a possibility in Tannaitic legal discussion; for related Amoraic discussion, see Section X.

ruled forbidden but "uncontaminating" of the utensil. The Mishnah, however, makes the choice for rigor: both image and utensil are forbidden.[16]

R. Simeon B. Gamaliel, working within this framework, and admitting that a "decorative" image may be sacred and endow a utensil with religious significance, maintains that images on common vessels are purely decorative and nothing more; the utilization of these vessels and objects for menial tasks destroys any thought of the sanctity of their images.[17] Certainly, later sages will discuss the precise demarcation of the "precious" from the "common", and produce lists of objects described by either term. But it is the very distinction that is crucial: here again we encounter the assertion that function — and not shape — determines sanctity, and it is sanctity that determines whether an object is or is not idolatrous.

[16] Cf., the "second house" of M. III.7; there, of course, the fact that the idolatrous decoration was added after the house was already in non-idolatrous existence, creates the distinction. But see Rashi, b. 44b, s.v. ועוד.

[17] The rebels led by Bar-Kokhba owned vessels whose pagan decoration was erased or filed down (see Y. Yadin, *The Finds from the Bar-Kokhba Period in the Cave of Letters* [Jerusalem, 1963], 42ff.). Inasmuch as rabbinic law would not allow nullification by Jews (see *infra*), Yadin is forced to assume that the images had been defaced before purchase by their original non-Jewish or manufacturers. Now, there is no reason to assume that these merchants were so invariably cooperative, or that the fighters in the revolt acquired these pots and pans by purchase rather than by plunder. A more likely reconstruction, I submit, is that the rebels accepted the contemporary distinction between precious and common utensils, the latter category including utensils used in cooking, etc. (cf. Tosefta A.Z. 5[6].1 and parallels); thus, the vessels in question needed no "nullification". But Jews of their stamp did not look kindly on images of pagan deities, whatever their halakhic status, and therefore they disfigured them. The instruction of Samuel to R. Judah, a century or so later, to deface his signet ring (b. 43b) was also the product of the same distaste, but not of "nullification", as by the time of Samuel it must have been agreed that a Jew could not nullify idolatry (*contra* Goodenough, "The Rabbis and Jewish Art in the Greco-Roman Period", *HUCA*, XXXII [1961], 277). Naturally, full-fledged iconoclasm reverts to the Biblical model of destruction. But see Section X, *infra*, and n. 108, and R. Abraham Gumbiner, *Zayyit Ra'anan* to *Yalkut Shim'oni, ad loc.*

These instances do not yet compel similar teachings regarding the "nullification", or withdrawal of sanctity, from objects once acknowledgedly sacred in pagan cult. There is assuredly a difference between the definition of an object *a priori* and revocation of its status. Status can often be a formal concept; once sanctity is attached to an object, one is reluctant to release it. At the same time, it is possible to move from definition to "nullification", or more accurately to see both within one conceptual framework in which the character of an object (is it idolatrous or no?) always varies according to its function and meaning, and that these are decided by the actual attitude of devotees towards the object.

III

The Jew who found a vessel to which idolatrous significance was attached was to destroy it, as the above-cited Mishnah demonstrates. Certainly, idols and altars that fell into Jewish hands were to be destroyed as well: the Biblical imperative still held. This imperative was subject to interpretation growing from considerations of policy and general approach. The warning of R. Johanan b. Zakkai (found as exegesis to Deut. 12:2: "You shall surely destroy all the places..."),

> Do[18] not destroy the pagans' altars in confused haste, lest you be forced to rebuild them yourselves; lest you destroy those made of bricks and they tell you to rebuild them of stone, of stone and they tell you to rebuild them of wood

is well-known, and possibly constitutes a rebuke of Jewish iconoclastic zeal during the early triumphal days of the revolt against Rome.[19] The counsel of R. Johanan is one of prudence founded

[18] *Midrash Tannai'm* (Hoffmann), 58: מיכן היה ר' יוחנן בן זכאי אומר: אל ... תבהל לסתור במות גוים שלא תבנה בידך שלא תסתור של לבינים ויאמרו לך עשם של אבנים, של אבנים ויאמרו לך עשם של עץ... Cf. also *Abot deR. Nathan*, ed. S. Schechter, Version B, ch. 31, 33b.

[19] G. Allon, *Toledot HaYehudim Be-Eretz Yisra'el BeTekufat HaMishnah VeHaTalmud* (Tel-Aviv, 1959), 3rd ed., I, 58. It is possible that R. Yohanan b. Zakkai recalled at this point the incident of the pagan altars of Yavneh as well (see S. Lieberman, "Palestine in the 3rd and 4th Centuries," *J. Q. R.*, XXXVI,

upon policy; there is no explicit surrender of principle here. First Century extremists, however, found such prudence incompatible with the vigorous intolerance of the Bible. Another midrashic comment may be derived from the same context:

> "You[20] shall surely destroy..." — after you have conquered and settled the land...

From here we learn that the idols are to be destroyed only after the Jewish people are secure in their land.

While these teachings touch on principle only to the degree that the discovery of priorities reflects fluctuations of principle, another pair of teachings cut more directly to the heart of the matter. On the one hand we read:

> If[21] you have smashed the altar, let it be.
>
> If you have broken the pillar, let it be.

But on the other hand,

> "And[22] you shall smash..." — do I then understand that one should smash and let be? Therefore Scripture teaches, "And you shall burn their Asherahs...and you shall destroy..." — total destruction: make away, destroy, burn annihilate, blot out of the world. Hence they said: that which can be burned is

4 (April, 1946), 366, n. 263; J. Neusner, *A Life of Yohanan ben Zakkai*, 2nd ed. (Leiden, 1970), 147–8), but the context suggested by Allon seems primary.

[20] *Midrash Tanna'im, op. cit.*: ...אבד תאבדון, אחר ירושה וישיבה הכתוב מדבר... It is possible that מיכן היה ריב"ז אומר refers not to the Biblical verse but to the previous teaching, according to which settlement of the land (and the winning of security) precedes the destruction of idolatry, thus providing another base for counsels of prudence. It is likely, however, that this is the work of the compiler of this midrashic fragment, since the comment cited above is probably later than RYbZ; cf. *A. Z.* 45b, and Hoffmann, *op. cit.*, n. 6.

[21] *Sifre* (ed. Finkelstein), sec. 61, 127: ... נתצת את המזבח, הנח לו; שברת את המצבה, הנח לו... Generally, the teachings in this section betray tendencies towards considered leniency.

[22] *Midrash Tanna'im*, 60: ונתצתם את מזבחותם, שומע אני יתצם ויניחם ת"ל ואשיריהם תשרפון באש; שומע אני ישרפם ויניחם, וכו'; שומע אני יגדעם ויניחם, ת"ל ואבדתם את שמם מן המקום ההוא – אבדת כלאה. כלה והשחת ושרוף ואבד והעבירן מן העולם. מיכן אמרו: הראוי לשרפה, שרוף; ואת שאינו ראוי לשרפה שוחק וזורה לרוח או מיטיל לים או שף בארץ עד שתכלה... Note *Sifra* (cited by Hoffmann *ad loc.*) as well as the formulation of R. Jose, M. III 3.

> to be burned; that which cannot burn is to be pulverized and scattered to the wind or into the sea or against the earth until it is ended...

These teachings cannot be dated. The vigor of the latter, however, testifies to a period of great and irrepressible hatred of paganism, and there must have existed an audience within which that hatred could be taught.[23] The first teaching, on the contrary, is content with the breaking of altars, etc., without calling for their material extinction. While either teaching could exploit certain Scriptural expressions, it is likely that their disagreement reflects attitudinal differences as well.[42] The latter *midrash* is a clear rejection of the moderation taught by the former; the former's "let it be" is itself a counsel to those who were more stringent

Idols and altars that fell into Jewish hands were destined for destruction, for the Jew could not derive any benefit from them, or make use of them.[25] Even the more moderate view cited above only teaches that there is no reason to pulverize idols and altars in fulfillment of the divine command. It does not suggest that the Jew may return to the smashed altar and use its rubble to build his house. Yet other sources reveal alternate ways of dealing with idols and their appurtenances that fall short of destruction; the idol may have been destroyed *qua* idol, but remained intact (and usable) *qua* object.

IV

A series of Mishnaic teachings display the rabbinic concept of nullification. A progressive tendency towards expanding the possibility of nullification existed in late-Tannaitic and early-Amoraic literature. We shall examine three texts:

> IV. 5: How is an idol desecrated? If a gentile cut off the tip of its ear or the end of its nose or the tip of its finger,

[23] Actually, any period in Talmudic times could produce a circle cultivating such sentiments. Note, e.g., R. Hoshayyah, p. *A. Z.* 4:4; 44a.

[24] That the statement in *M. T.* is directed against that of *Sifre* sec. 61 is evident. Compare the interpretation of R. Huna, b. *A. Z.* 45b.

[25] Cf. n. 9.

> or battered it even though naught was broken off, he has desecrated it. If he spat in its face or made water before it or dragged it about or threw filth at it, he has not desecrated it...[26]

Here, the gentile nullifies the idol by an act that displays his perception of it as desanctified. According to the Mishnah, disrespectful assault upon, or gesture towards the idol is not sufficient, and mere verbal nullification or cursing is not considered at all;[27] physical damage must be executed. Yet the physical damage required is so minimal as to be clearly symbolic (indeed, it is curious that the most familiar method of desanctification — scratching out the eyes of an image — is not listed; perhaps that method is best suited to paintings, but not sculpture.)[28] The parallel materials in the Tosefta offer further elaboration.

The Tosefta[29] contains a *baraitha* that provides the conceptual (and Scriptural) base for the notion of nullification: "'the images of their gods' — that which he treats as a god is banned (to you), that which he does not treat as a god is allowed (you)." The Tosefta then continues to present the Tannaitic materials against which the Mishnah must be read:

> How[30] does he nullify it? R. Me'ir said: He must strike it

[26] כיצד מבטלה? קטע ראש אזנה, ראש חטמה, ראש אצבעה, פסחה אף על פי שלא חסרה – בטלה. רקק בפניה, השתין בפניה, גררה, וזרק בה את הצואה – הרי זו אינה בטלה... "Desecrate", "desanctify", and "nullify", are used interchangeably in this essay: they all represent the Hebrew בטל "A gentile" is not present in the Hebrew original and is inserted interpretatively (see *infra*) by Danby.

[27] See Section IX, esp. nn. 83–84. The insistence on some form of physical action for nullification may be the counterpart of the rabbinic teaching that objects do not achieve idolatrous "sanctity" by verbal designation (as do objects sacred to Judaism) but only by some physical act: cf. Tosefta *A. Z.* V (VI). 9–10; b. 44b; S. Lieberman, *Hellenism in Jewish Palestine* (New York, 1962), 147–153.

[28] See n. 101

[29] V (VI). 6 (Zukermandel, p. 468, 11. 27–29): וכל עבודת כוכבים שביטלוה עובד כוכבים יכל תהא אסורה? ת"ל פסילי אלהיהם תשרפון באש – את שנוהג בו משום אלוה, אסור; ואת שאינו נוהג בו משום אלוה, מותר (עפ"י הדפוס).

[30] V (VI). 7: כיצד מבטלה? ר' מאיר אומר, עד שיכה בקורנס ויאכל (כ"י וינה והדפוס: ויחבל). ר' שמעון אומר, אפילו דחאה וסטרה ונפלה הרי זו בטילה.

with a mallet and eat into it. R. Simeon said: Even if he pushes it or strikes it and it falls, it is nullified.

The minimal requirements for nullification are here debated by disciples of R. Akiba. R. Me'ir (who is generally more severe in this area) demands physical damage; R. Simeon is content with disrespectful assault. But R. Simeon, too, demands physical contact and effect; the symbolic action rejected by the Mishnah would acknowledge even urinating before the idol as nullifying; the adherents of this latter view may well have generalized from R. Gamaliel at Acco. According to the Talmud,[31] the disagreement is not a quantitative one, but rather qualitative: expression of disrespect without any *permanent* alteration in the idol probably reflects passing rage from the very outset, and therefore does not nullify it (so R. Me'ir). Curiously, the view rejected by the Mishnah is found as a standard of practice — with some modification — in Amoraic times, as we shall see in the second text:

IV. 5[32] ...If he sold it or gave it in pledge, Rabbi says: He has desecrated it. But the sages say: He has not desecrated it.

First-generation Amora'im — both Palestinian and Babylonian — debate the extent of the Mishnaic discussion:[34] was the idol sold to Jew or pagan? Was it sold for scrap or worship? Does Rabbi declare it nullified even in the former situations — and do the sages declare it forbidden even in the latter ones? Implicit in these pragmatic queries is the conceptual problematic: is sale nullifying only when it is the first step towards physical destruction,

[31] b. *A.Z.* 53a, where Hezkiah cites Is. 8:21 and concludes, "thus, although the heathen curse his king and his god and turn upward, he still looks unto the earth," that is, he reverts to worship of the idol. (My own summary of this Talmudic reference is interpretative, in part.) Interestingly, R. Ze'era (cf. n. 109 *infra*) taught that a heathen who sells his idol out of rage is considered to have annulled it, and bases this ruling — which contrasts with that of Hezkiah, on the same proof-text; p. *A. Z.* 4:5; 44a. A different view of the Tannaitic disagreement is offered by E. E. Urbach, n. 54 *infra*, 230–232.

[32] מכרה או משכנה – רבי אומר, בטל; וחכמים אומרים, לא בטל.

[34] See Section IX, esp. part II.

or even when it simply constitutes abandonment? A *baraitha* of Rabbi is most suggestive on this issue:

> Rabbi[35] said: My view is the more probable when he sold it to be broken up, and my colleagues' view is the more probable when he sold it to be worshipped.

Rabbi himself concludes, here, that sale constitutes nullification only when it is a prelude to physical destruction: the gentile's willingness to sell the idol as scrap indicates it has no sanctity for him. (Another *baraitha*[36] presents this view anonymously, as the rule.) But Rabbi's formulation in this *baraitha* implies that both he and the sages originally took more extreme positions: he would maintain that any sale implied nullification, while the sages[36] argued that sale never constituted nullification inasmuch as the idol left its owner's hands whole, since he may have been constrained to sell.[37] The general langage of the Mishmah supports this reading of the two positions. Rabbi then rejects the tradition he had presented,[38] admitting that sale alone did not change the status of the object, since if it was not sold for destruction it would likely continue to be worshipped. But a future as scrap does imply nullification before the object actually passes into its new owner's hands — a point of great practical significance, as we shall see in this third text:

> IV. 6[39] An idol whose worshippers have abandoned it in time of peace is permitted, but if in time of war it is forbidden...

Here we find a most telling crystallization of the theory of nullification. Once again, the meaning attached to the object is central: if abandoned in peacetime, i.e., willingly, the idol is clearly of no significance to its erstwhile owners; if abandoned by constraint, in the tumult of war, no loss of significance is implied.

35 b. *A. Z.* 53a.

36 See Section IX, part I.

37 Note the Talmudic treatment of this *baraitha*, and cf. Y.N. Epstein, *op. cit.*, 194.

38 See Rashi *ad loc.*, *s.v. vedivrei*

39 ...עבודה זרה שהניחוה עובדיה: בשעת שלום, מותרת; בשעת מלחמה, אסורה

This Mishnah exposes, then, the nature of nullification as a process quite divorced from the physical fate of the idol, which is defined purely by its role. The Mishnah was of practical significance as well, since abandoned temples, etc., were a rich source of building materials in the ancient world;[40] indeed, this very fact may have entered into the assumption of nullification.

V

We have been assuming thus far that an idol is desanctified by its pagan devotee; the loss of significance for an erstwhile worshipper nullifies the object. The Jew, for whom the idol is stock and stone — *never* sacred — cannot desanctify it. The idol is banned, due to its sanctity for pagans, not because it is in reality numinous. This model dovetails neatly from a juridical perspective with the Biblical imperative: all the Israelite can do with an idol is destroy it physically.[41] This, too, is the sense of Chapter III, Mishnahs 1–3, 9. But is the category of "nullification" completely closed to the Jew? And what if a Jew is himself an idol-worshipper; or comes into possession of an idol — can these Jewish idols be nullified? The Tannaim considered these problems, too. Two related sections of one Mishnah — of which there are two versions —are especially relevant here.

> IV. 4 The[42] idol of a gentile is straightway forbidden but that of an Israelite is not forbidden unless it has been worshipped...

As a *baraitha*[43] shows, this is the opinion of R. Akiba. R.

[40] S. Lieberman, *op. cit.*, 368–9, esp. n. 288; A. Weiss, *Al Ha Yezirah Ha-Sifrutit Shel Ha'Amora'im* (New York, 1962), 66, n. 23.

[41] Thus the rabbis, despite their midrashic talents, hardly find any incidents of "nullification" in the Biblical record. For an exception, see R. Huna, b. *A. Z.* 44a on II Samuel 5, which is apparently Tannaitic as seen in p. *A. Z.* 3:3; 42d.

[42] ...עבודה זרה שלנכרי אסורה מיד, ושלישראל אינה אסורה עד שתעבד.

[43] b. 51b: אבד תאבדון את כל המקומות וכו' בכלים שנשתמשו בהן לעבודת כיכבים הכתוב מדבר וכו' שאין אסורין עד שיעבדו, מכאן אמרו עבודת כוכבים של עובד כוכבים אינה אסורה עד שתיעבד, דברי ר' ישמעאל. ר' עקיבא אומר חילוף הדברים עבודת כוכבים של עובד כוכבים אסורה מיד ושל ישראל עד שתיעבד.

Ishma'el maintained that, on the contrary, "the idol of an idolator is not prohibited until it is worshipped, but if it was that of an Israelite it is forbidden forthwith." Scriptural sources are adduced for each of the two opinions; further on, we shall discuss the possible pragmatic implications of each view beyond the one that the Mishnah itself may shortly suggest. From a conceptual point of view, the opinion of R. Akiba is easily explicated: the idol of a pagan is presumed sacred to him from the moment he makes it; the Jew, on the other hand, is not presumed an idolator until he actually worships the image. The opinion of R. Ishma'el is more difficult to understand from this perspective. Rather, the Israelite object is banned formally, irrespective and independent of the presumption of its "sanctity."[44]

The Talmud (52a) already notes the difficult transition from כלים שנשתמשו בהן to עבודה זרה. Of course, מכאן אמרו links two distinct sources; but כלים seems odd even in its own context. A plausible solution is suggested by the reading of M. III, 1 printed in the Palestinian Talmud, which gives כלים instead of צלמים. Apparently כלי was used to denote the idol itself, which was used in the cult devoted to its *numen*; cf. commentaries to Palestinian Talmud *ad loc.* (If this reconstruction is correct, the *baraitha* also indicates that already in Tannaitic times the rabbis did not take pagans to be fetishists pure and simple; cf. E. Urbach, *infra*, n. 54, 154 n. 19).

[44] It is well worth noting an Amoraic comment here, though it will be relevant to later discussion as well. Resh Lakish comments on this Mishnah (p. *A. Z.* 4:4; 43d): רשב"ל אמ' באומן שעושה למכור בשוק היא מתניתא, שכיון שגמרה דבר בריא שהשתחוה לה... "This Mishnah refers to a craftsman who makes an idol for sale in the market — when he completes it, he certainly worships it." The comment is odd: the craftsman, after all, is much *less* likely to worship his produce than a believer who fashions an image for his own cultic needs (and cf. *Ex. R.* 15:17, though that story reflects political rather than pagan cult). Rather, Resh Lakish is compelled to understand the Mishnah in this light by its latter ruling, "An idol of an Israelite is forbidden only when it has been worshipped," which refers to an Israelite craftsman either because these were in fact the only Israelites who were producing idols or because an idol made by a believer always ought be forbidden outright, since its very fashioning implies worship. Forced into this reading, Resh Lakish assures us that in the case of a gentile craftsman the idol is nevertheless forbidden immediately (the first teaching of the Mishnah), for among gentiles *even* the craftsman can be expected to worship his produce. To which R. Jose b. Bon responds: רבי יוסי בעי, אם דבר בריא שהשתחוה לה בדא תנינן ע"ז שלנכרי

The Mishnah continues:

> IV. 4 ...A[45] gentile can desecrate his own or his fellow's idol, but an Israelite cannot desecrate a gentile's idol.

So[46] reads the text in our printed editions of the Mishnah and in the Mishnah of the Babylonian Talmud. But other prints and manuscripts of the Mishnah, and the Mishnah printed in the Palestinian Talmud read: "A gentile can desecrate his own *or an Israelite's* idol." These two versions reflect the different teachings of R. Judah the Patriarch:

> R.[47] Hiyya b. Ashi said in the name of Rav: Rabbi taught his son R. Simeon, 'The gentile nullifies his own idol and that of his fellow (gentile).' R. Simeon said to him, 'But when you were younger you taught me, "The gentile nullifies his own idol and that of an Israelite"?' R. Judah answered, 'No my son; an idol worshipped by a Jew can never be nullified.' And so taught R. Simeon b. Menasya:[48] An idol worshipped by a Jew can never be nullified.

Thus, the Mishnah found in the Babylonian Talmud reflects the latter teaching of Rabbi, who accepted the tradition of R. Simeon b. Menasya: the text found in the Palestinian Talmud reflects that of the anonymous sages,[49] and the earlier teaching of Rabbi. According to Epstein, the Palestinian version, which claims even

אסורה מיד ושלישראל עד שיעבד? That is to say: If even the gentile idol is forbidden only on the assumption that he has worshipped it, then there is really no difference between Jew and gentile, and the Mishnah, which states that a gentile's idol is forbidden forthwith and that of a Jew is forbidden only after being worshipped is imprecisely formulated; they may be forbidden at different moments, but not as implied in the Mishnah by different causes. R. Jose therefore urges a more formal reading of the ruling that the idol of a gentile is forbidden immediately. (For different understandings of this exchange see the standard commentaries *ad loc.*, and Urbach, cited in n. 57 *infra*, 159–160 and n. 42).

[45] ...נכרי מבטל עבודה זרה שלו ושלחברו, וישראל אינו מבטל עבודה זרה שלנכרי.

[46] See Y. N. Epstein, *Mavo LeNussah HaMishnah*, 2nd ed; (Jerusalem, 1964), 22–25.

[47] p. *A.Z.* 4:4; 43d–44a; cf. b. *A. Z.* 52b.

[48] Cf. Tosefta V (VI). 7, b. 53a

[49] Tosefta V (VI): 7.

the idol of an Israelite may be nullified, is the earlier of the two.[46]

What is the logic of this segment of the Mishnah? A *baraitha* explicates:[50]

> (If) a Jew makes an idol, it is forbidden even though he has not worshipped it, *therefore he cannot nullify it.* (If) a gentile makes an idol it is permitted until he worships it, *therefore he can nullify it.*

According to the *baraitha* the logic of R. Judah's later teaching is that nullification is hinged to "sanctification." The idol of the gentile is forbidden only because, and after, it has been worshipped; the withdrawal of sanctity, therefore, may nullify it. The idol of a Jew, on the other hand, is formally and categorically forbidden irrespective of its "sacred" character — therefore, it cannot be nullified. The latter teaching of R. Judah is, thus, predicated upon the view of R. Ishma'el cited earlier. It cannot be derived, as the amora R. Ze'era pointed out, from the opinion of R. Akiba.[51] According to the theory that nullification is hinged to sanctification, the view of R. Akiba would yield the conclusion that the idol of an Israelite may also be nullified. (Indeed, Epstein argues that the earlier version of the Mishnah would allow not only nullification of a Jewish idol, but even nullification *by* a Jew — a possibility which all extant sources reject.[52]) In that event, the Mishnah as finally approved by Rabbi is composed of conflicting sources; the first part reflects the position of R. Akiba, and the latter half is inferred from the position of R. Ishma'el.[53] This is of course

[50] V (VI). 3–4: ישראל שעשה עבודה זרה אסורה אף על פי שלא עבדה, לפיכך אין יכל לבטלה. גוי שעשה עבודה זרה מותרת עד שתעבד, לפיכך יכל לבטלה...

[51] p. *A. Z.* 4:4; 43d; cf. Epstein, *op. cit.*, 23, n. 3.

[52] Epstein, *op. cit.*, 24, n. 8. Although suggestive, the assumption is no more than that, inasmuch as the status of Israelite idolatry and the prerogatives of a Jew as nullifier are two distinct issues conceptually. Thus, the sources do disclose alternate positions on the first, but are unanimous on the second. Even when amora'im do allow for the possibility of nullification through the activity of a Jew (see on), the actual change in status from sacred to profane is always caused by the presumed — if fictive — change in pagan attitude.

[53] This may be the reason why the opinions assigned R. Akiba and R. Ishma'el are reversed by *Midrash Tanna'im*, p. 59; the decision that a Jewish

possible; but another possiblity is that R. Judah the Patriarch did not see the issues of sanctification and nullification as related.

VI

We have, thus far, considered the phenomenon of "nullification" from a descriptive and conceptual point of view. We have described the pattern of regulations and norms that constitute the institution; we have also suggested an ideational framework around which the normative pattern might be structured, and have seen that in fact the normative structure is shaped by the conceptual scaffolding. But did this normative elaboration occur in an historical vacuum, or was it shaped in response to specific conditions that in fact render it more intelligible?

This question has been treated in some detail by Prof. E. E. Urbach.[54] The context of Urbach's thesis was his consideration of E. Goodenough's argument for a mystical non-normative Judaism in the centuries after the destruction of the Second Temple, as evidenced by the proliferation of pagan art and symbolism within the Jewish community. Urbach — among others — rejects the schematization of normative and non-normative communities, contending that rabbinic law treated idolatry and its artifacts (emperor-worship being a major exception) with increasing leniency. Such leniency was possible because Jews were no longer attracted to the pagan cults in such large numbers; it was necessary because of "the fundamental change in economic conditions which give rise to new problems in the relations between Jews and Gentiles."[55] With the destruction of the Temple "there was an increase in the gentile element of towns... Jewish artisans not only learned new technical processes from their gentile fellow-craftsmen: they also had to compete with them... it was hard for these Jewish

idol can never be nullified is then in line with the teaching of R. Akiba. See, too n. 62 *infra*.

54 E. E. Urbach, "The Rabbinical Laws of Idolatry in the Second and Third Centuries in the Light of Archeological and Historical Facts," *Israel Exploration Journal*, IX (1959), 149–163, 299–245.

55 p. 156.

craftsmen... to avoid making idols[56]... The number of Jewish craftsmen was relatively small, but the larger community of merchants and consumers was faced with economic problems similar to those of the craftsmen... Jews were scrap-merchants and scrap-importers...[57] This possibility of an idol's being desecrated by a Gentile offered ample scope for easing the restrictions on Jewish economic life and particularly on business relations with Gentiles. This was presumably the fundamental purpose of the lenient rabbinic ruling."[58] Urbach does note that "Behind this notion of desecrating an idol lies the fact that there were gentiles who made idolatrous objects but did not worship them and did not intend them to represent any god,"[59] but his major thrust is that the Sages were sensitized — if not driven — to the possibility of "nullification" by economic considerations, and were supported in their leniency by the feeling that the pagan gods were no longer a threat.

If Urbach is right, the teachings of specific Tannaim in this area should demonstrate a consistent programmatic approach which reveal a clear preference for opinions that wou'd achieve one or another economic-commercial goal. All the materials relevant to the issue must then be examined from the perspective of their effect upon the Jewish artisan or the dealer in such goods.

VII

We begin with the dispute of R. Akiba and R. Ishma'el as to the moment at which the idolatrous products of Jew and pagan are forbidden (see section V). R. Akiba forbids the idol of a gentile straightway, but permits that of the Jew until worshipped. Thus, the Jew could sell his 'idolatrous' produce and benefit from it. He could not, however, purchase that of a pagan artisan, even for resale, etc., unless the other nullified it before the purchase. This was certainly a possibility, but in all probability the effect of this

[56] pp. 157–8.
[57] p. 229.
[58] p. 233.
[59] p. 230.

latter regulation would be to hamper trade in these articles. The Jew would, however, be able to sell his own product with little difficulty. R. Ishma'el, on the contrary, would seriously forbid the Jew to manufacture such articles, for even if he made it — maintaining that it was a totally indifferent object to him — he should not sell it, nor should he trade in such objects made by a Jewish workshop. All in all, R. Ishma'el treats the Jewish craftsman and trader more severely than does R. Akiba; this is consistent with his generally severe posture on idolatry. At the same time, R. Akiba inhibits free trading in these objects, by banning pagan produce forthwith. One can either conclude that R. Akiba was trying to favor the Jewish producer, or that he was motivated by dogmatic-conceptual considerations, rather than by economic ones.

Yet even this survey does not do full justice to the issues involved. Let us first consider the situation of the presumed "Jewish producer," i.e., the artisan whom R. Akiba has contrived to benefit. Now, our sources state that according to R. Akiba, the idol made by a Jew is not forbidden until worshipped; once made, it may legitimately be sold. But the sources do not reveal that R. Akiba ever permitted the Jewish artisan to manufacture the idol in the first place. To those for whom the ruling of R. Akiba was important, such a ruling would be crucial. True, R. Eliezer permitted the Jew to make the ornaments for idols, as Urbach shows, but this opinion does not adequately compensate for the absence of a statement by R. Akiba. Indeed, a *baraitha* in the Sifra clearly forbids the making of images for gentiles. Testifying to the prevalence of such practice, it also reflects what we can assume to have been, in the absence of testimony to the contrary, the standard rabbinic position, neither approving the making of pagan images by Jews, nor supplying gentiles with their cult objects.[60] It will be

[60] Urbach, 158 (R. Eliezer); *Sifra, Kedoshim, Parashah* 1:12 (ed. Weiss, 87a), and *cf. MDRSBI* to Ex. 20:3 (ed. Epstein-Melamed, 146, line 25, 26–28); M. I. 5. (But note the *baraitha* of R. Jacob b. Karshai [Tosefta V (VI). 4] which apparently [cf. Epstein, *op. cit.*, 23] rules against giving idols made by Jews for pagans the status — and benefits — of pagan idolatry; apparently

argued, however, that this restricted reading of R. Akiba greatly reduces the pragmatic impact of his teaching. This may be true; but it does not constitute a substitute for sources demonstrating that R. Akiba's ruling did have the pragmatic impact — and indeed basis — that has been claimed for them.

Second, it would appear that the later Tannaitic sources differed as to the very definition of the forever banned "idolatry of a Jew." As cited in the Palestinian Talmud (*supra*), Rabbi defended the later version of the Mishnah (that a gentile could not nullify the idol of a Jew) by stating, "the idol *worshipped* by a Jew may never be nullified" ... עבודה זרה שעבדה ישראל, and by quoting the same rule verbatim in the name of R. Simeon b. Menasya. The *baraitha* of R. Simeon b. Menasya is, however, cited differently, by both Babylonian Talmud (53a) and Tosefta (5 [6]. 7b), which read: "the idol *of* a Jew may never be nullified" עבודה זרה של ישראל, i.e., idolatry possessed by a Jew. This position is consistently maintained, as well, by a pair of *baraitot* found in both Tosefta and Babylonian Talmud, — but not in The Palestinian Talmud — which rule that idolatry *bought* by a Jew must be destroyed or discarded.[61] It is obvious that this latter formulation is the more severe one of the two. More to the point, we may see the Palestinian formulation as derived from the position of R. Akiba; the Jewish idol is not banned when manufactured but only when worshipped. We interpret R. Akiba as referring not to worship by the pagan, for whom it was ostensibly manufactured, but rather by the Jew.[61a]

others did so hold.) Urbach is aware of this sort of objection and rejects it (p. 160).

[61] Nn. 86–87. Cf. also *Tosefta Demai* 6:13 (inheritance); but one cannot generalize from the action of Onkelos.

[61a] A *baraitha* (Tosefta III (IV). 19) provides another detail in the designation, "idolatry of a Jew": ...ר' יהודה (כ"י ו והדפוס: יוסי) אומר, עבודה זרה עצמה שוחק וזורה לרוח או מטיל לים. אמרו לו, אף היא נעשית זבל, שנא' ולא ידבק בידך מאומה מן החרם, וכו' אמר להן ר' יוסי, הרי הוא אומר, וכתת נחש הנחושת אשר עשה משה כי עד הימים ההם היו ישראל מקטרין לו ויקרא לו נחושתן. אמרו לו, וכי עבודה זרה היה, והלא משה רבינו עשאו מלמד שטעו ישראל אחריו עד שבא חזקיהו וגנזו. "R. Jose (with Vienna ms. and *ed. princ.*; cf. M. III.3) says 'The idol is itself broken into pieces and scattered to the winds or thrown into the sea.'

Finally, it is possible that these differing formulations have different implications for the Jewish purchaser of idolatrous objects for subsequent re-sale, but these are not entirely clear.

Third, the functional role of the nullification by a gentile of "Jewish idolatry" is far from clear. It is fair to assume that such regulations are not concerned with the gentile *per se* but rather with the meaning of this nullification for the Jewish population. How would such nullification impinge upon the Jew? To say that the rabbis were concerned here with a possible Jewish purchaser of Jewish idolatry that had passed through a gentile middleman (a Jewish purchaser who is himself, naturally, a tradesman or scrap dealer) — seems overly intricate. The remaining alternative, then, is to argue that the rabbis were concerned with a Jewish artisan or trader (see *supra*) whose goods are immediately banned and could profit from them only if he could sell to a gentile who would also nullify them. (If so, nullification by gentile is necessary precisely if the idolatry of a Jew is *immediately* forbidden! The logic of the Mishnah in its present state is then not one of cause-and-effect — as the *baraitha* would have it — but rather that of

They said to him, 'Even so it becomes manure, and it is written, "And there shall cleave nothing of the devoted thing to your hand." '... Said R. Jose to them, 'But it is written, "...he broke in pieces the brazen serpent that Moses had made, for unto those days the children of Israel did offer to it ..." (II Kings 18:4)' They said to him, 'But was that an idol? Why it was made by our master Moses?! Rather, the Israelites were led astray by it until Hezekiah came and removed it.'"

Now, granted that Moses did not intend to construct an idol, the serpent *was* worshipped by later generations. (Note the different version of this *baraitha*, b. 44a) Two related explanations suggest themselves: (1) The Serpent was not constructed as an object of worship, even if the Jews did worship it later; (2) the Serpent was not constructed as an object of worship, and the Jews worshipped it as an emblem of their God, not as an alien deity. The first formulation stresses the idea that an object, to obtain the status of an idol in the fullest sense, must be so intended by its maker; subsequent worship cannot so designate it. Conceptually, this point is well-integrated with M. III. 5, and survives in attenuated form in such discussions as b. 46a. Our *baraitha* uses the feminine והיא as it refers to: עבודה זרה. In M. III. 3 the masculine הוא must refer to כלי.

necessity and function.)[62] But this alternative also seems forced and artificial.[63] We must then consider quite seriously the possibility that the discussion of gentile nullification of Jewish idolatry is precipitated, basically, by the demands of systematic, literary, logic. Having ruled on nullification by both gentiles and Jews of gentile idolatry (an obviously practical question) the logic of formal literary balance warranted a statement on the nullification of Jewish idolatry.

Halakhic development tended towards severity on this issue. The position of R. Akiba could lead to the further conclusion that the idol of a Jew can be nullified (see nn. 50–51). But R. Simeon b. Menasya taught, and Rabbi Judah the Patriarch codified, that the idol of a Jew may not, indeed may never, be nullified. Certainly, if we choose to read these regulations from the perspective of the Jewish artisan, the trend is towards increased severity — unless, of course, we define "idolatry of a Jew" as an idol worshipped by a Jew; this would rescue the artisan, but it would also minimize his presence in our sources.

These inhibitions stem, in large part, from the insistence of each teacher that some idols are banned forthwith rather than upon their being worshipped. Further inhibition is caused by R. Ishma'el's assigning this rule to the Jewish — rather than the gentile — artisan, and by equating "Jewish possession" with "idolatry of a Jew," thereby making it completely impossible for the Jew to trade in the scrap of idols or — for R. Akiba — in the products of a gentile workshop. A most direct way to permit Jewish involvement as either artisan or trader, would have been to set the "moment of sanctity" no earlier than worship itself. But this option, which would make good dogmatic sense, is never exploited. Rabbi, according to the text of the Mishnah and a *baraitha*, would credit any sale as constituting nullification. This would allow

[62] See, however, Section V, end.

[63] Another possibility is that the goods were owned by a Jew and gentile in partnership; the only way the Jew ought benefit from them — if sold — would be by prior nullification, see the enigmatic comment of R. Hillel b. Velles, b, 52b.

Jewish trade in the gentile produce. But the sages do dispute this view and more important, even Rabbi consents to apply it only upon sale for destruction as scrap. Thus, both Jewish artisan and Jewish middleman are inhibited from trading in idolatrous objects, with leniency extended only to the Jewish dealer in scrap, a narrow permissiveness. Analysis of these regulations exposes therefore the presence of dogmatic elements at crucial points as well as the existence of bars to free commercial exchange. If, moreover, a policy of leniency was being hammered out by some, it was fought by others.

VII

The masters of the early second century C.E. disagreed, therefore, as to a policy on the manufacturing of idolatrous objects by Jewish artisans. R. Akiba (perhaps following in the steps of R. Eliezer, as Urbach has argued)[64] would allow the sale of these goods. R. Ishma'el would not. Later second century development adopts, as we have seen, an increasingly rigorous posture.[65] (For the lenient position on *sale* to be of pragmatic benefit to the Jewish artisan we must also assume, we recall, a permissive attitude towards the *making* of the idolatrous image by the Jew.) With regard to the doctrine of "nullification", however, the reverse is true: there the tendency is towards the permissive. The most dramatic strides in this direction, and the theoretical elaboration of this institution, take place in early Amoraic times. Though even here there is no casual compromise with principle, "nullification" is *in essence* a most radically permissive idea; all subsequent leniency merely works out and extends the essential character of the doctrine.

At one pole we find the Mishnaic: "If one finds[66] utensils upon

[64] *Op. cit.*, 158ff.

[65] Cf. n. 14 *supra.*

[66] Urbach (*op. cit.*, 229–230) takes "If a man finds..." to refer, in general, to a dealer in metals, etc., though he speaks of M. III, 2 (in which "fragments" are explicitly mentioned) rather than of our Mishnah (III, 3). Nonetheless our Mishnah would probably be included in the same exegesis, else we should find a rabbinic ruling treating too casual an instance. Interestingly, then, our

which is the figure of the sun or moon or a dragon, he casts them into the Salt Sea." This is true to the Biblical model, and will remain constant. There is no "nullification" here. The Jew cannot nullify the object, nor is a "found" object assumed to have been consciously "abandoned in time of peace" and thereby automatically nullified. Nor is the possibility of "nullification" by a cooperating pagan introduced, though the institution was well-developed by the time of R. Simeon b. Gamaliel, whose distinction between precious and common objects is cited in that Mishnah. Apparently the literary logic of this section demanded the presentation of the basic rule of the destruction of idolatry; this might remain a religious imperative irrespective of more permissive loopholes.

At the other pole (M. IV.5–6) we find that sale (though possibly for future destruction) and willful abandonment of idols in peacetime (thus preserving the Biblical imperative to destroy all Canaanite idols, etc., captured in war) constitutes "nullification." The idol is nullified when its owner discloses that he does not consider it sacred. Nothing physical need be done to the idol; indeed, acts of *omission* — abandonment — are nullifying. Inasmuch as the anonymous Sages reject (perhaps totally!) the nullifying character of sale, they may also reject abandonment as nullifying. If so, it was Rabbi Judah the Patriarch who played a decisive role in the adoption of these acts as nullifying.

Midway between these two poles (conceptually, that is, as well as literarily and perhaps historically) is a discussion (M. IV. 5; III. 10) as to how the idol or *asherah* may be nullified physically: the Mishnah demands an act of physical disfiguration — however slight — and not a mere expression of rejection. As we have seen, R. Me'ir and R. Simeon (mid-2nd cen.) had debated the point. What is the relationship of this Mishnah to the teaching that simple abandonment constitutes nullification? If the latter suffices, it seems superfluous to insist upon disfiguration. (A similar point is apparently raised — but not resolved — in the Palestinian Talmud.)[67]

Mishnah opts for severity: the offending vessel must be disposed of in the Dead Sea; cf. n. 15 *supra.* and n. 85 *infra.*

[67] Cf. *A. Z.* 4:4; and nn. 77.

It is possible, therefore, that the idea of abandonment represents the final Mishnaic evolution of the idea of nullification, and post-dates M. III. 10; IV. 5a. Harmonistic options are also possible: thus, M. 6 insists that its *worshippers* have abandoned the idol, while M. 5 may refer to nullification by *other pagans*, for "a gentile may nullify his own idol and that of another gentile" (M.4). But this formulation was devised by Rabbi Judah the Patriarch (see section V). In either case, the very notion that one pagan may nullify the idol of another, represents a further operative extension of the principle of nullification. Moreover, early amoraim allowed nullification through expressions of rage alone, contrary to the Mishnah.[68] Interestingly, though, mere verbal expressions — a curse, or a declaration — had no effect.[69]

These Tannaitic discussions indicate, on the whole, great willingness to permit the utilization of idolatrous objects and artifacts by Jews. Whether this utilization ought to be put primarily in a commercial context, as opposed to a casual context, is moot. This context is best invoked for the teachings of R. Judah the Patriarch on sale by the pagan. The utilization of abandoned temples, etc., for building materials or for other purposes was common, but not necessarily commercial. Idols may have been disfigured for Jewish traders, but how widespread was the trade in *asherah*-wood (cf. M. III. 7–10)?[70]

VIII

The Scriptural, exegetical, bases for the doctrine of "nullification" are given, almost totally, by first and second generation Amoraim. These very Amoraim also discuss and decide fundamental elaborations of the law of "nullification." This dual phenomenon suggests that the idea of "nullification" was in a formative, fluid, state from post-Hadrianic times to the end of the

[68] Cf. nn. 78–79.

[69] Cf. n. 80.

[70] The *asherah* itself was presumed a reality in rabbinic times: cf. M. *A. Z.* III. 7, though perhaps of minimal significance: Tosefta VI (VII), 8. Note also b. *A. Z.* 48a (bottom).

third century C.E. During this time there can be discerned a fundamental willingness to discover and utilize the full potential of the doctrine.

The exegesis of Deut. 7:25 used to justify the presence of R. Gamaliel in the Bath of Aphrodite (see Section II) is found in a *baraitha* of the Tosefta (V [VI] .6) as warrant for the idea of nullification. Two other pieces of exegesis are cited in the name of Samuel, one in the Babylonian the other in the Palestinian Talmud, the former of a later segment of Deut. 7:25, the latter of Deut. 12:2. R. Yannai is cited by R. Yohanan in a reading of Deut. 7:25 which is similar to that given in the name of Samuel. And R. Joseph cites a *baraitha* that gives yet a different exegesis of the same phrase of Deut. 7:25 utilized by the Tosefta, *supra*. R. Isaac derived the impossibility of nullification of a Jew's idol from Deut. 27:15, while Rav is reported to have derived it from both Deut. 16:21, and from Deut. 27:15.[71] It is interesting to note that the Palestinian Talmud, in particular, presents its hermeneutic materials within the context of the disagreement of R. Akiba and R. Ishma'el, as to whose idolatry (Jews' or pagans') is banned forthwith, thus implying, once again, the link between this problem and that of nullification as asserted by the *baraitha* (see Section VII). This exegetical activity is mainly carried on during the third third century C. E. Furthermore, these same figures also discussed basic extensions of the principles of nullification.

Finally a most revealing incident, in both social and halakhic sense, is narrated in both Talmuds by a younger contemporary of R. Judah the Patriarch:

> Rabbah[72] b. Bar Hannah said in the same of R. Joshua b. Levi: I was once walking with the eminent R. Eleazer Hakappar along the road, and he found a ring upon which the figure of a dragon. There passed by a heathen child but he said nothing to him. Then there passed by an adult heathen and R. Eleazer said to him, 'Annul it,' but he

[71] b. *A. Z.* 52a; *A. Z.* 4:4; 43d–44a.

[72] b. *A. Z.* 43a; trans. A. Cohen (Soncino).

refused to do so; and he struck him until he annulled it. Draw three conclusions from this: first, a heathen can annul an idolatrous object which belongs to himself or to a fellow heathen; secondly, if the heathen understands the nature of the idolatrous object and its mode of worship he can annul it, but if he is ignorant of its nature and mode of worship he cannot annul it; and thirdly, force may be used to make a heathen annul the object.

R. Hanina ridiculed: Does not the eminent R. Eleazer Hakappar agree with the following teaching: If a person rescued something from a lion... or if a person finds something in a camp or a main highway or in a place where many people congregate, the object belongs to him because the owner despairs of recovering it?

Abaye explained: Granted that the owner despaired of recovering it, but did he despair of its sacred character? He must have said to himself: If an Israelite finds it, since it is a valuable object, he will sell it to an idolator who will worship it.

This is the story as presented in the Babylonian Talmud. We shall concentrate on its juridic implications. The Talmud itself draws three conclusions from the narrative:

(A) "A heathen can annul an idolatrous object which belongs to himself or to a fellow heathen." This is in agreement with the Mishnah in Rabbi's later formulation (see Section VII). This extension of the right of nullification could be easily disputed; the actual owner of the object still considers it sacred, after all. If the "conclusion" found in the Talmudic text was drawn by R. Joshua b. Levi, we could infer that this doctrine was still debated in the generation after Rabbi Judah the Patriarch, and needed further buttressing from other authorities.[73] We may also note that R. Eleazer does not (following the narrative closely) ascertain

[73] The 'conclusions' seem to have been affixed to the narrative material at an early date, and were perhaps brought to Babylon from Palestine, as is implied by the Palestinian parallel, n. 82 *infra*.

Note, as well, the comment of R. Hillel b. R. Velles, a younger contemporary

whether or not the specific pagan whom he directed to annul the object, would normally worship it or hold it sacred. This is made virtually explicit by inference.

(B) The pagan recognizes and understands the object's status before he is empowered to annul it. He need not, however, himself worship it. Thus, a *baraitha* reads, "a gentile annuls idolatry — whether his own or that of his comrade, whether he worships it or he does not worship it."[74] Actually, the specific pagan of the narrative did hold the object to be sacred, as is evidenced by his initial refusal to annul it. Indeed, it is likely that in the syncretistic, superstitious world of the ancient East, cult objects or representations of sacred figures were held to be sacred (if only dangerous) by all pagans. Nonetheless, what is implicit in the *baraitha* (and its authors certainly knew the ancient East!) reveals a further liberalization. It is quite likely, moreover, that images, etc., would be "nullified" by unbelieving rather than by believing pagans. Insistence upon nullification by a believer would make better conceptual sense (since he for whom no sacral entity ever existed, could not "nullify", reduce to secularity, that entity) but would doubtless restrict the utility of the doctrine. An example of the significance of this detail is provided by the famous report:

> The place of King Jannaeus was destroyed. Idolators came and set up a Mercurius there. Subsequently other idolators came, *who did not worship Mercurius*, and removed the stones with which they then paved the roads and squares. Some rabbis abstained from walking in them while others did not...[75]

of Rabbi, 52b (bottom); perhaps it ought be read as a direct comment on the teaching that a gentile may annul his comrade's idolatry?

[74] V (VI). 3. On the relationship of these texts, cf. Epstein, *Mavo*, p. 24, and Urbach, p. 233, n. 75. Subsequent Talmudic discussion moved on similar lines: cf. *A. Z.* 64b (though note the ambiguity in R. Nahman).

[75] b. *A. Z.* 50a. Cf. also Liebermann, *op. cit.*, 361–366, and Urbach, p. 234, n. 80. R. Yohanan, who permitted Jews the use of the road, may have also felt that public services deserved lenient adjudication: cf. b. *A. Z.* 48b, p. *Shevi'it* 8 (end), 38:2–3. See my "R. Yohanan, Idolatry, and Public Privilege," *Journal for the Study of Judaism in the Late Persian and Hellenistic Period*, V (1974).

It was essential to the "nullification" that the act of other, non-Mercurius worshipping heathen be valid; perhaps this aspect of the incident was unacceptable to the "abstaining rabbis" (no explicit Talmudic challenge to nullification by non-believers is on record, though cf. R. Nahman b. *A.Z.* 64b).

(C) Forced nullification is valid. Once again, we encounter an extension of the principle of nullification. It would seem that this expansion is mostly of systematic and not pragmatic interest. (Generally, the issue of forced consent is a complex one in Talmudic law.) Nonetheless, the issue of forced nullification may have held implications for the more common phenomena of nullification performed unawares, or under commercial pressure; finally, the "pragmatic" need not imply the common.

R. Hanina considers the entire performance unnecessary. An object found in a public place has already been despaired of — and hence nullified — by its erstwhile owner. If this point of view were adopted, it would seriously restrict the area within which such halakhic rulings as, "He who finds utensils upon which is the figure of the sun or moon or a dragon, casts them into the Salt Sea," are effective.[76] Abaye, a fourth-century Babylonian Amorah, rejects this opening, as R. Haninah's predecessors had. Nonetheless, R. Haninah's attempt remains historically and conceptually of interest.[77]

The one point which remains vague in the narrative is the mode of nullification used by the pagan. The parallel in the Palestinian Talmud[78] contains more information on this detail:

> Bar Kappara found a figure-ring. A young Syrian was running behind him. He struck him; he cursed him; he

[76] Cf. Tosafot 43a *s.v. ve-let*, and other standard commentaries.

[77] Cf. n. 82, *infra*.

[78] *A. Z.* 4:4; 44a. These stories doubtless reflect the same incident; the different conclusions are natural in such transmissions from Palestine to Babylon and in anecdotal material generally; on the differing (?) identities of the Sages named, cf. H. Albeck, *Mavo LaTalmudim* (Tel-Aviv, 1969), pp. 148ff. Both moved in the circle of R. Judah the Patriarch: cf. A. Hyman, *Toledot Tanna'im VeAmora'im* (London, 1910), 288ff, 215ff; Bar-Kappara may have been his student.

> told him: "Spit on it," but he refused. He said: "Urinate on it," but he refused. Hence we say: A gentile nullifies his own idolatry and that of his comrade even by compulsion, as long as he knows that type of idolatry.

Spitting and urinating upon the idolatrous object are urged upon the young Syrian by Bar Kappara; had he done either of these things, the image would have been nullified. Thus Bar Kappara did not insist upon the Mishnaic disfiguration of the image, nor even the assault required by R. Simeon (see Section IV, *supra*). Rather he settled for those dramatizations rejected by the Mishnah: "If he spat in its face or made water before it or dragged it about or threw filth at it..." This was apparently acceptable to other Amoraim as well; "How does one nullify (idolatry made of food)? R. Hiyya B. Adda said, 'By spitting.'"[79] Here again we discover the liberalizing momentum of the concept of nullification. (Remarkably, no Talmudic teacher suggests a purely *verbal* form of nullification; this step was taken, however, by some later medieval authorities.)[80] From a formal point of view, Bar Kappara and his followers could appeal to R. Gamaliel who had said, apropos the Aphrodite of the Baths, that a goddess before whom the citizens urinate could not be very numinous after all.[81] Thus, the actual halakha regulating "nullification," reached the position implied by the very existence of the institution as a counter to destruction, or by the recognition of abandonment as constituting nullification. It is the *relation* between devotee and object that fixes its sanctity, not its shape nor even its past function (with reference to non-Jewish idolatry, that is). This incident, then, reflects an option open to the Jew who found an idolatrous

[79] *A. Z.* 4:1; 43d. The passage is somewhat unclear. Among the Babylonians it would seem that the Mishnaic position was retained. Thus, cf. the comment of Rava, b. 44b, which as Tosafot *s.v. ve'amar* note, derives from a different context, which I would take to be a supportive comment to M. IV, 5. The omission in the Babylonian version of the dialogue in the Palestinian version of the "ring incident" is consistent with this Babylonian position.

[80] R. Eliezer b. Joel (*Rabiah*) cited by *Mordekhai A. Z.*, sec. 838.

[81] Cf. also R. Simmi bar Hiyya, b. *A. Z.* 44b and *Ritba ad loc.*

object, other than throwing it into the Dead Sea, as in the earlier cited Mishnahs. The whole does resolve into a legal text, however: if you *do* want to destroy the object, *this* is how to do it, though Chap. III, Mishnah 3, suggests that that is all that can be done with it, which is not now the case. But beyond the fact that the Babylonian Talmud (not the Palestinian) presents this incident within the discussion-area of Chap. III, Mishnah 3, no explicit mention is made of the contrast between the sources, any more than the more basic contrast between the Mishnahs themselves is discussed.[82]

IX

(1)

Another issue upon which early-Amoraic discussion continued the late-Tannaitic problematic was that of "nullification by sale." But here we may detect differences of opinion, from a pragmatic no less than from the conceptual perspective.

We recall (cf. Section IV, supra) the Mishnaic debate between Rabbi and the Sages on this issue, with Rabbi conceding that sale nullifies only when the pagan sells the idol for destruction as scrap. Other (late?) Tannaitic materials allow us to draw a somewhat fuller picture:

> (a) If[83] one bought metal from a heathen and found an idol amongst it, if he had drawn it into his possession before paying the purchase price, let him return it; but if he had drawn it into his possession after paying over the purchase money, he casts it into the Salt Sea.

[82] Note, however, *Sefer Ve-Hizhir*, *Yitro* (ed. Y. M. Freimann, I, 32a, 36b–37a): ברם שנינו, המוציא כלים ועליהם צורת חמה ולבנה... יוליכם לים המלח. מצא כלים ועליהם צורות אלו, ומצא גוי וכפאו לבטלה, ובטלה, מהו בהנאה...? ולענין השאלה ששאלנו לפניכם, גוי שביטל ע״ז בעל כרחו... אסורה בהנאה או מותרת, ת״ש אמר רבה ב״ב חנה אמר ריב״ל פעם אחת הייתי מהלך בדרך... Similarly, *Halakhot Gedolot* (Warsaw, 1873, p. 239b): ומאן דמשכח גושפנקא או שורא דצייר עליה צורת חמה או צורת לבנה או ע״ז אסיר ליה לבר ישראל למשקליה ולאיתהנויי מיניה עד דמבטיל ליה גוי... See also R. Ze'era, p. *A. Z.* 4:4.

[83] b. *A. Z.* 53a: הלוקח גרוטאות מן העובדי כוכבים ומצא בהן עבודה זרה: אם עד שלא נתן מעות משך, יחזיר. אם משנתן מעות משך, יוליך לים המלח. Note the Talmudic discussion.

Sale by the heathen to a Jew, indeed to a Jew who buys it for certain destruction — does not constitute "nullification;" the Jewish purchaser must destroy the idol. This is very much the opinion of the Sages who disagree with Rabbi. Most significantly, even if the idol is discovered before payment — that is, before it passes irretrieveably into Jewish (non-"nullifiable") possession — the most the Jew can do is return it. There is no suggestion here (see *infra*) that he have the gentile owner nullify the idol before the sale is consummated. The authors of this ruling were obviously not concerned with encouraging Jewish-gentile commerce in anything that ever smelled of the idolatrous.

> (b) If[84] one bought scrap metal from heathens and found an idol amongst it, he throws it away, and the rest is permitted. If an Israelite finds an idol: before it comes into his possession, he tells a heathen to nullify it, for a heathen nullifies idolatry — his own or his comrade's, whether he worships it or not, whether inadvertently or his own free will...

For the author of this *baraitha*, too, sale does not constitute "nullification." But if we read the continuation, "If a Jew finds an idol...," as referring to the Jewish purchaser of scrap (as does Urbach),[85] we find that the author of this section wishes to enable the Jew to trade in scrap whatever its origin, and suggests the device of nullification. (Curiously, he does not suggest a blanket nullification preceding — and obviating — search and discovery of the idols! This introduces some caution into the assumption that we definitely are concerned here with a trader.)[86] The specifica-

[84] Tosefta V (VI). 3: הלוקח גרוטאות מן הגוים ומצא בה עבודה זרה נוטלה ומשליכה והשאר הרי זה מותר. ישראל שמצא עבודה זרה, עד שלא באת לרשותו אומר לגוי ומבטלה שהנכרי מבטל עבודה זרה בין שלו בין של חבירו בין עובדה בין שאינו עובדה בין בשוגג בין במזיד בין באונס בין ברצון...

[85] Cf. n. 66 *supra*. It ought be noted that these two regulations do not form "one *baraitha*" but in fact take divergent positions on the problem held in common; moreover, the option of nullification is not found in the *baraitha* that speaks explicitly of the purchaser of scrap, but rather in the *baraitha* that is formulated in the more general "he who found."

[86] Cf. n. 85 *supra*.

tions, "whether... or not," are perhaps directed specifically to the gentile seller, who may himself be a jobber with no relationship to this idol, which he does not revere and which he will casually (or even thoughtlessly) nullify. Again, the Tannaitic sources reveal conflict on the issue of tolerance of Jewish trade in idolatrous scrap.

> (c) If[87] a gentile sold idolatry — if he sold it to a worshipper, it is forbidden; if he sold it to a non-worshipper, it is permitted. If he borrowed on it, or if it was covered by falling debris, or was swept away by a flooding river, or was taken by bandits like the war of Joshua — if the owners will return to claim it, it is forbidden; if they will not, it is permitted.

This *baraitha* displays views similar to those advanced by Rabbi. Sale does nullify and does not require that the object be sold for destruction. Rather, sale to any non-worshipper — even gentile — reduces the object to non-sacrality, for its erstwhile owner abandons it to a non-sacral future (even if not destroyed!). The second part of the *baraitha* ("If he borrowed on it...") represents a thoughtful (and functional) elaboration and expansion of Chap. IV, Mishnah 6 (see Section IV, *supra*). While the Mishnah focussed on the state of mind of the worshipper *at the time* he abandoned the idol, it therefore declared that only idols abandoned in peacetime (and in full freedom) were nullified. The *baraitha* considers the worshipper's attitude *after* the act as well. Passive abandonment, i.e., not returning to retrieve one's idol, demonstrates an attitude of "nullification," too. Therefore, even idols that are abandoned in war or because of some natural catastrophe, can be nullified. This *baraitha* is apparently late-Tannaitic; its logic is accepted by Rav (b. *A.Z.* 53b) and is found in a Tannaitic quotation in the Palestine Talmud, too. Functionally, this logic both extended the scope of "nullification" and limited it simultaneously: the Mishnaic 'peace' is limited, the Mishnaic 'war' is expanded.[88]

[87] Tosefta V (VI). 5: גוי שמכר עבודה זרה לעובדיה אסור, שלא לעובדיה מותרת...

[88] The relationship of this source — and its parallels — to the Mishnah is

(2)

First-generation Amoraim of both Palestine and Babylonia also concerned themselves with the issue of nullification by sale. As one might expect, this interest did not express itself in autonomous *dicta* but rather in exegesis of the short and suggestive Mishnah.

From the discussion found in the Palestinian Talmud[89] it emerges that R. Hananiah and R. Yohanan restrict the scope of Rabbi's ruling. This ruling, they state, applied only to sale to a smelter — (quite possibly, a Jewish smelter),[90] and it was such sale that the Sages disallowed as nullification (there being no argument that sale, to a worshipper, did not constitute nullification). Whether or not R. Yohanan and R. Hananiah would allow our Jewish tradesman-smelter[91] to deal with a gentile purveyor of idolatrous remnants unless these were explicitly nullified by him before sale, would then depend on whether the opinion of Rabbi or of the Sages was decisive.[92] Rav and Resh Lakish, on the other hand, understand the Sages to agree with Rabbi in considering remnants sold to a smelter as being nullified. Conceptually, the Amoraim would seem to be divided on the question of whether sale for future destruction is certain evidence of de-sanctification, or whether some (the Sages) might still

somewhat unclear, but there is no compelling reason for reading it as a competing rather than supplemental tradition. The Tosefta seems deliberately to have omitted הניחוה בעלים so as to avoid a heads-on contrast with the Mishnah (I take its presence in Vienna ms. and ed. princ. to be a later addition.).

89 4:5; 44a

90 Cf. Urbach, 231, n. 71; Albeck, *op. cit.*, 620. If this is so, "sale to a worshipper," which according to Rav (*infra*) is considered "nullifying" by R. Judah the Patriarch, would refer as well to a pagan smelter; this would yield better sense in the passage than assuming that R. Judah considers sale to any worshipper nullifying.

91 Urbach's utilization of medieval commentaries to equate the smelter and tradesman (231, n. 71) is a bit unfair to the text, which speaks throughout of a smelter, or of one who is certain to destroy the idol; the medievals, moreover, are split on the issue: see *Ra'abad* ad loc.; *Ramban*; etc.

92 See b. *B. B.* 124b, and especially R. Yohanan p. *Terumout* 3:1; 42a; *Dikduke Soferim* to *'Eruvin* 46a, n. 100.

maintain that nothing but physical effacement amounted to nullification. In this latter view, the Sages would presumably reject abandonment as nullification as well. Practically speaking, Rav and Resh Lakish represent a much more lenient point of view than does R. Yohanan, though we do not know whether the view of Rabbi or of his colleagues was taught as authoritative. The discussion found in the Babylonian Talmud, while terse and textually uncertain, also suggests that Rav understood the Sages to admit that sale to a Jewish smelter constituted nullification, and thereby allowed the kind of trade about which Urbach speaks, while R. Yohanan (?) did not allow such trade.[93]

If we have interpreted the Talmudic passages correctly and have used the instrument suggested by Prof. Urbach aptly, it would seem that the permissibility of Jewish trade in idolatrous remnants was a very open issue in early Amoraic times. Certainly, the assumption of both Talmuds that the laconic Tannaitic debate in fact concerned smelters, supports Urbach's contention as to the social context and function of this material. We have also seen that R. Yohanan is not necessarily the consistently lenient voice on questions of Jewish-gentile relationships, that he is often asserted to be. (Did not R. Yohanan complain that "We are not as knowledgeable in the details of idolatry as was the Patriarch Jacob"?)[94] This fact will be confirmed through discussion of other, related, issues as well.

X

(1)

These same Amoraim — R. Yohanan, Resh Lakish, and perhaps also Rav and Samuel, discuss a possibility of "nullification" barely mentioned in Tannaitic literature:

[93] b. *A. Z.* 53a. Many texts have R. Haninah and not R. Yohanan as the authority cited by Ze'iri, cf. S. Abramson, *Tractate 'Abodah Zarah* (New York, 1957), 206, line 19. As we recall, the Palestinian Talmud cited similar views held by both teachers.

[94] *Genesis Rabbah* 81:3 (ed. Thedore-Albeck, 973). This may merely be a general statement (cf. S. Liberman, *J. Q. R.*, XXXVII [1946–7], 44–45), but it

> It[95] has been stated: If an idol was broken of its own accord, R. Yohanan said that its fragments are prohibited, and R. Simeon b. Lakish said that they are permitted.

The Mishnah (III.2) had, it is true, stated that, "If one finds fragments of images (צלמים), they are permitted," and Resh Lakish may have based himself on this text. R. Yohanan did not find the Mishnah relevant to our issue; he understood these fragments to be permitted "because they are mostly from delphica's," the three-legged waiter's table often decorated by or formed from a heathen image. These images — though of pagan divinities — were purely decorative; the point of the Mishnah was that fragments could be assumed to have come from decorative, rather than cultic images — an interesting (and permissive) posture in itself, but not relevant to the question of fragments known to have come from cultic images.[96]

The anonymous *sugyah* of each Talmud offers its conceptualization of the disagreement. The Babylonian Talmud explains (41b):[97]

> R. Yohanan said they are prohibited because no one annulled it. R. Simeon b. Lakish said that they are permitted because the owner implicitly annuls it, saying, 'It could not save itself, so how can it save me.'

does introduce a restrictive statement by R. Yohanan on images found on clothes, an issue that was apparently moot: cf. *A. Z.* 3:3; 42d.

[95] b. *A. Z.* 41b: אתמר, עבודת כוכבים שנשתברה מאליה, רבי יוחנן אומר אסורה רשב"ל אמר מותרת. רבי יוחנן אמר אסורה, דהא לא ביטלה [כ"י ס. והשוה ר"ח]; רשב"ל אמר מותרת, מסתמא בטולי מבטיל לה, מימר אמר איהי נפשה לא אצלה, לההוא גברא מצלה ליה?

[96] p. *A. Z.* 3:2; 42c. Samuel apparently took the term צלם to mean the statue of an emperor, in contrast with that of a mythic being (b. *A. Z.* 41a: אמר שמואל, אפילו שברי עבודת כוכבים) but R. Yohanan knew well that the delphica utilized divine figures; cf. his comment, p. *Demai* 6:11; 25d. Here too, the figures on the delphica are considered purely decorative. Samuel's exegesis is reflected as well in his comment to M. III. 1 (b. 40b), which — in turn — is consistent with prayer in a synagogue housing a king's statue (b. 43b): the Sages are understood to rule that the statue of a King, unless holding the designated object, does not represent a deified creature.

[97] See n. 95.

According to this explanation, R. Yohanan maintains that an idol's annullment must be a concrete historic event; for R. Yohanan, "nullification" must be explicit and personal. R. Simeon b. Lakish, on the other hand, would allow the situation itself to constitute fictive annullment, inasmuch as one may infer from it the likely reaction of the idol's owner. The practical implications of this disagreement are obvious (images were doubtless abandoned and ultimately ravaged by natural causes), though we cannot say how quantitatively significant they were. Here too, we note that R. Yohanan takes the more severe view, with Resh Lakish being more lenient.

> The Jerusalem Talmud explains (3:2; 42d. Cf. also 4:1; 43d):[98] Idolatry that is broken (of itself): R. Yohanan said it is prohibited, R. Simeon b. Lakish said it is permitted. Of what do we speak? If the gentile will restore it to its prior condition, all agree it is forbidden (even now). If the gentile will not restore it, all agree it is permitted. Rather, we speak of an undefined case: R. Yohanan maintains that the undefined case is as though the gentile were going to restore it; R. Simeon b. Lakish maintains that the undefined case is as though the gentile were not going to restore it.

This explication is somewhat more complex than that of the Babylonian Talmud. It implicitly confronts the position of R. Yohanan with the Mishnaic ruling that an abandoned image is assumed to be annulled and with the statement of the *baraitha* (see Section IX, part 1, end) that "abandonment" can also be established by non-retrieval. These teachings compel a more lenient interpretation of R. Yohanan's terse statement. Thus, even R. Yohanan would admit that idols and artifacts subject to the normal ravages of time and history would be annulled and permitted for use.

[98] עבודה זרה שנשברה: רבי יוחנן אומר אסורה, רבי שמעון בן לקיש אומר מותרת. מה אנן קיימין? אם בעתיד להחזירו לכליין דברי הכל אסור, אם כשאינו עתיד להחזירן לכליין דברי הכל מותר. אלא כי אנן קיימין בסתם; רבי יוחנן אמר סתם כמי שעתיד להחזירו לכליין, רבי שמעון בן לקיש אמר סתם כמי שאינו עתיד להחזירן לכליין.

Against the backdrop of this development — the teachings on abandonment and specifically the teaching of R. Simeon b. Lakish above — the Babylonian Talmud raises a most provocative series of questions (41b–42b). Why is defacement by a Jew any less annulling than breaking "of its own accord," where, according to Resh Lakish, the idol is implicitly nullified? This question was aimed at Resh Lakish, but at the same time it subjected the Mishnaic assertion that a Jew could not nullify idolatry to fresh examination. Two provocative answers were provided by fourth-century Babylonians to this question: Rava admitted the logic of the query and asserted that Jewish non-nullification of the gentile idolatry was due to a rabbinic decree lest "he might lift it up and then annul it, in which event it would be an idol in the possession of an Israelite... which can never be annulled."[99] Abaye, more surprisingly, conceded that an Israelite could in fact (according to Resh Lakish) annul a gentile's idol if he did more than merely deface it, i.e. destroy some of its substance.[100] Both statements, but in particular that of Abaye, seem distant from the Biblical imperative and the Mishnaic teachings. Inasmuch as R. Yohanan would normally be considered the more authoritative teacher, the comments of Rava and Abaye deserve mention.

(2)

The Babylonian first-generation Amoriam discussed similar questions and drew similar conclusions. We read:

It[101] has been stated: If an idol was broken of its own

[99] ...אלא גזרה דלמא מגבה לה והדר מבטיל לה, והוי עבודת כוכבים של ישראל, וכל עבודת כוכבים ביד ישראל אינה בטילה לעולם. Cf. B. de Vries, *Toledot HaHalakha HaTalmudit*, (lst ed; (Tel-Aviv, 1962), 69–95, esp. 95;A. Goldberg in *Sefer HaYovel leRabbi Hanokh Albeck* (Jerusalem, 1963), 101–114, esp. 107–8.

[100] ...אמר אביי שפחסה. וכי פחסה מאי הוי והא תנן פחסה אע"פ שלא חסרה בטלה? הני מילי דפחסה עובד כוכבים, אבל פחסה ישראל, לא (מב, א, וע"ש ברש"י ד"ה שפיחסה, ד"ה אבל).

[101] b. *A. Z.* 49b, following Sephardic ms. (n. 93, *supra*) and many medievals (cf. Abramson, p. 201; R. Hananel, R. Isaiah of Trani in *Tosafot Rid*, etc.): איתמר, ע"ז שנשברה מאליה, אמר רב צריכה לבטל כל קיסם וקיסם, ושמואל אמר אין

> accord, Rav said, "It is necessary to annul every fragment," but Samuel said, "An idol is only annulled when it is in its natural form,"...that is, an idol need not be annulled except when it is in its natural form... Is this to say that they differ (on whether)... idolators worship fragments of idols (or not)? No, they all agree that idolators worship fragments ... Or you may say that they all agree that idolators do not worship fragments...

The initial question seems identical to the one which R. Yohanan and Resh Lakish disagreed is a broken idol automatically annulled?[103] But whereas the R. Yohanan-Resh Lakish *sugyah* formulates the problem in terms of the sufficiency of presumptive annulment, this *sugyah* formulates the question empirically — do idolators worship fragments or no?

But the heart of the matter remains. Rav demands explicit "nullification" of each share; Samuel would seem to say that an idol that was broken accidentally can never be annulled; he is interpreted to mean that such an object need be annulled (cf. his statement 41a: "fragments of idols are permitted"). The anonymous *sugyah* first declares that both mean to forbid fragments, but then concludes with the possibility (according to the best texts)[103] that both Rav and Samuel agree that fragments are automatically annulled. Conceptually, then, we have reached a point where the objective situation constitutes nullification, inasmuch as it carries the guarantee that the object no longer has sacred significance.

The Palestinian Talmud contains some Rav-Samuel material related to this issue as well:

> If[104] one finds idolatry: Rav says, 'He breaks it piece by

ע״ז בטילה אלא דרך גדילתה. אדרבא, דרך גדילתה הוא דלא בטלה. ה״ק אין ע״ז צריכה ליבטל אלא דרך גדילתה. לימא בהא קמיפלגי, וכו׳, לא, דכ״ע עובדין לשברים וכו׳ ואיב״א דכולי עלמא אין עובדין לשברין, וכו׳.

103 Yet note the placement of this discussion, as well as the phrase: דרך גדילתה, which is most apt for a tree, as in b. *Sukkah* 45b. But see Resh Lakish, *Niddah* 67a.

104 p. 3:2; 42d: המוצא ע״ז: רב אמר משברה אבר אבר והיא בטילה, ושמואל אמר אינה בטילה לעולם...

piece and it is annulled.' Samuel says, 'It can never be annulled.'

Rav here seems identical with the previous situation; Samuel seems close to his previous non-interpreted view. Our problem apparently concerns a Jew who found an idol. Rav allows him to annul it by destruction. Samuel maintains it can never be annulled. Samuel doubtlessly means that no Jew can annul the idol; if it had already come into the possession of the Jew, neither the Jew nor the gentile could annul it. In this, Samuel is true to the Mishnah. (Perhaps he also insists that only the true owner can annul?) Rav, on the other hand, allows the Jew to annul the idol by smashing it. We are compelled, therefore, to state that he understood the Mishnaic negation of annulment by a Jew, in roughly the same way as did Abaye, in his explication of Resh Lakish. Defacement of an idol by a Jew has no effect; destruction does annul. But Rav — unlike Abaye — presents his view as law, not as theoretical rejoinder. Interestingly, the Babylonian Talmud does not know this view of Rav,[105] and it is evident that the Mishnah does not easily square with this lenient posture.

Some Palestinian Amoraim may have reached this conclusion in a slightly different context. After presenting its version of the Bar Kappara incident (see Section VIII, *supra*), the Palestinian Talmud asks (recall the question of the Palestinian R. Haninah,[106] *supra*):

[105] It would appear, moreover, that contrasting traditions circulated in the name of Rav even in Palestine; or that the traditions we have are too terse to allow accurate exposition. Thus we find in p. *A. Z.* 4:1; 43d: רבי בא בשם רב, זמנין דאת אמר שיברי ע״ז אין להן ביטול וזמנין דאת אמר משמשי ע״ז אין להן ביטול. רבי אבהו בשם רב, אבני מרקוליס שנתפזרו אין להן ביטול לעולם משום עבודת ע״ז. The commentaries attempt to square the first statement of Rav with his position b. 49b, but his statement here (at least its first part: שברי ע״ז אין להן ביטול) seems identical with the position of Samuel, there. It is also unclear why the status of rocks from the *merkulis* pile changes after they have been scattered. Indeed, the anecdote which follows: ר״ש ברבי הוה ליה מרקוליס גו חקלא... ולא רבי חייא רבה תניתא, concerns treatment of such rocks *before* scattering. Perhaps, then, we ought render שנתפזרו "by scattering" (?) Cf. also b. *A. Z.* 50a–b.

[106] Cf. n. 81.

> Let[107] it be as an idol that has been abandoned by its worshippers, which is annulled (thereby)? Said R. Ze'era: Anything that is annulled of its own accord may be annulled by a Jew; anything that is not annulled of its own accord may not be annulled by a Jew.

The comment of R. Ze'era is somewhat unclear. The context of his comment suggests that he means further to buttress the Talmud's question by asserting that abandonment, which constitutes "nullification of its own accord," ought permit the Jew to use the object in question without further ado. But he may mean to say that if a Jew reduces an idol to a physical state that would, if reached "of its own accord," constitute nullification, then the deed of the Jew constitutes nullification, too. Thus a Jew can nullify but only at the price of significant damage. In a curious fashion, we find ourselves returning to the Biblical again: "You shall break down their altars..." But these Amoraic allowances for nullification by a Jew also represent a re-thinking of the Mishnaic assertion that the only thing a Jew could do with idolatrous objects was to "throw them into the Dead Sea."[108]

* * * * *

In this essay I have tried to describe the conceptual instruments with which the rabbis grasped and analyzed the "sacral" quality of idolatrous objects, and its nullification. We have seen, I believe, that their thought in this area is subtle and provocative. We have also seen that it has pragmatic implications, as most law does. We have further seen that certain components of this instrument tend to dominate the others. Within the late-Tannaitic-Amoraic periods, these are permissive, as the very doctrine of nullification has permissiveness as its functional impulse.

[107] ותיעשה כעבודה זרה שהיניחוה עובדיה ותהא בטילה? אמר רבי זעירא: כל שאילו מאיליה היא בטילה, ישראל מבטלה, וכל שאילו מאיליה אינה בטילה, אין ישראל מבטלה. See *Yefe 'Eynayyim* to b. 42a.

[108] Do these amoraic positions derive from an older Tannaitic posture (cf. n. 15), discerned by Epstein (cf. n. 52) and exhibited in the Bar Kokhba finds (cf. n. 17)? It is a suggestive possibility.

Yet the relationship between the pragmatic implications of this permissiveness and the development of the doctrine itself are none too clear. We have found the halakha in this area to be chequered and multi-faceted: an apt pattern for a conceptual impulse to take as it concretizes its own dynamic, but not fully explicable as a programmatic attack with specific social-economic goals in mind. This is all the more apparent, if we allow the social-economic problematic to define the boundaries of the area to be investigated under one rubric, in our case, the case of Jewish-gentile commerce in a pagan environment. The social-economic results of the doctrine of nullification themselves provide a suggestive analytical tool; whether they provide a sufficient explanation is, aside from the general problem of the relationship of social needs to ideas, moot.

ANTI-USURY EFFORTS IN THIRTEENTH CENTURY NARBONNE AND THE JEWISH RESPONSE

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The reign of Louis IX of France, so widely celebrated in both the middle ages and modern times, was disastrous for French Jewry.[1] Deeply committed to religious and moral reform, Louis was especially concerned with the activities of the Jews, whom he saw as subjected to him "by the yoke of servitude."[2] For the pious monarch, this meant that Jewish presence in France was his responsibility and that Jewish sinfulness rested ultimately on his soul. As a result, Louis initiated a series of efforts designed to eliminate what he viewed as Jewish wrongdoing from his realm. For the Jews, these programs were catastrophic, eroding the foundations of both their material and spiritual well-being.

The new measures were first enacted in the north, where royal control was firmly established. By the 1240's, however, Louis had extended his rule over the newly-acquired areas of the south as well. Royal bureaucracy expanded and the king's influence began to weigh heavily throughout Languedoc.[3] Among the first to be affected were the sovereign's "Jewish serfs." The delete-

[1] The most useful general study of the reign of St. Louis remains that of Charles-Victor Langlois in Ernst Lavisse, *Histoire de France* (9 vols. in 18; Paris, 1900–11), III pt. 1. For an analysis of Louis' programs concerning the Jews, see my *Medieval Jewry in Northern France* (Balthimore, 1973), 100–153.

[2] This is the formulation attributed to Louis by his biographer, Guillaume of Chartres — see *Recueil des historiens des Gaules et de la France*, XX, 34.

[3] See, *inter alia*, Auguste Longnon and H.-François Delaborde, *La formation de l'unité française* (Paris, 1922), 131–145; Léon Mirot, *Manuel de géographie historique de la France* (2nd ed.; 2 vols.; Paris, 1948–50), I, 142–149; Edgard Boutaric, *Saint Louis et Alfonse de Poitiers* (Paris, 1870); Robert Michel, *L'administration royal dans la sénéchaussée de Beaucaire au temps de Saint Louis* (Paris, 1910).

rious legislation of the north was introduced into the south, with shattering results. Older and more liberal patterns were suddenly reversed, leaving a once wealthy and proud community threatened and bewildered.

The first evidence of these changes comes in 1246. In July of that year, the king, who had strongly attacked Jewish money-lending in the north, shifted this campaign southward. In a letter addressed to the seneschal of Carcassonne, Louis refers to a prior seizure of the Jews and a confiscation of their property.[4] In the course of discussing details of this despoliation, he orders that henceforth the two major regulations already operative in the north be faithfully observed in those southern territories under royal rule. The government was to withdraw completely from enforcement of Jewish loans and the Jews themselves were to cease exacting usury, turning instead to other means of earning their livelihood.[5]

Extension of this assault into Languedoc was not a simple matter. The area was far from unified under royal authority. A complex set of jurisdictions continued in force. Moreover, the Jews of the south constituted a larger, wealthier, more powerful, and more vocal community than their northern brethren. Given the complex political situation and Jewish community strength, it is not surprising to find southern-French Jews approaching major political and ecclesiastical authorities, lodging complaints against the royal innovations, and seeking to forestall the introduction of such measures in their own localities.[6]

One of the most powerful figures in the south at this time was the archbishop of Narbonne. Possessor of substantial temporal

[4] Claude de Vic and Joseph Vaisette, *Histoire générale de Languedoc* (15 vols.; Toulouse, 1872–92), VIII, 1191.

[5] For the introduction of these measures in the north, see my *Medieval Jewry in Northern France*, 109–123.

[6] Louis' biographer, Guillaume of Chartres, mentions protests against the anti-usury legislation by some of the king's advisors, although he does not indicate any Jewish initiative in such opposition — *Recueil des historiens*, XX, 34.

holdings and wealth, including a large and vigorous Jewry, he was also the highest ranking prelate in Languedoc.[7] Since the royal initiative had been undertaken out of pious motives, success in galvanizing a key churchman's opposition would have been a notable achievement for the beleaguered Jews. Moreover, if the Jewish sources are to be believed, the archbishops of the 1240's and 1250's showed themselves consistently friendly and sympathetic. It is thus not surprising to find Narbonnaise Jewry, represented by capable and combative spokesmen, appealing on a number of occasions to the local prelate. The Hebrew records of these encounters provide useful insight into the growing influence of the monarchy in the south, into the desperate Jewish maneuvering elicited by the king's destructive new campaign, into the arguments marshalled for and against the anti-usury legislation, and into the limited concessions occasionally achieved.

* * *

The recollections of Jewish entreaties to the archbishops of Narbonne are included in a compendium entitled *Milḥemet Miẓvah*.[8] The confrontations with the archbishops are recorded in two places, folios 32a to 37b and 214a to 228b. It is important of course to identify the circumstances of these conversations.

The earlier of the two sections weaves a number of discussions into one long dialogue between the Jewish spokesman and the archbishop.[9] The prelate involved is clearly Guillaume de Broue,

[7] For a study of the political situation in Narbonne, including the role of the archbishop, see Richard Emery, *Heresy and Inquisition in Narbonne* (New York, 1941), 19–54.

[8] The *Milḥement Miẓvah* (hereafter M.M.) is preserved in ms. 2749 of the Biblioteca Palatina Parma. The most extensive description of the manuscript is that of Siegfried Stein, *Jewish-Christian Disputations in Thirteenth-Century Narbonne* (London, 1969). I have been able to study this valuable text through the facilities of the Institute of Microfilmed Hebrew Manuscripts of the Jewish National and University Library in Jerusalem.

[9] Despite the unity of the discussion, the author at the outset indicates that he is narrating "the conversations which took place on three occasions between me and the archbishop" — M.M., 32b.

archbishop of Narbonne from 1245 to 1257. This identification is based on a number of considerations. The Jewish author, in an earlier segment of the manuscript, mentions the protocol of a debate on the issue of usury with Archbishop Guillaume:

> We took the same position in our replies to our archbishop of Narbonne, Guillaume de Broue, as is written in the record of these replies transcribed elsewhere.[10]

Since, as we shall see, the second set of encounters with the archbishop of Narbonne cannot have involved Guillaume, it is plausible to conclude that "the record of these replies" must be the exchange found on folios 32a through 37b. To strengthen this conclusion, we might note that the *terminus a quo* is surely 1246, when the king renewed his assault on Jewish lending and extended it to the south. Since there is no reference whatsoever to the same author's letter of complaint to the king himself, and since many of the Jew's arguments are less developed than those of his epistle, we can confidently conclude that the material was composed before the missive to Louis, which was written sometime in the mid-1250's.[11] The period between 1246 and the mid-1250's corresponds precisely to the tenure of Guillaume in the see of Narbonne.[12]

The second section records more than one confrontation; it actually recounts a series of separate encounters, coalescing into three sets of discussions.[13] The first extends from folio 214a through 226b, concluding with the observation that "thank the Lord he accepted my argument." Immediately thereafter a further appeal is depicted, beginning:

> On another occasion we came before him concerning many instances of the violence that was being done to us.[14]

[10] *Ibid.*, 7a.

[11] The letter to King Louis can be found in M.M., 64a–83a.

[12] The mention of recent despoliation of the Jews early in the report makes it likely that the discussions took place in 1247 or 1248 — M.M., 32b and 34a–34b. The warning against possible failures in war probably reflects the impending Crusade, again in 1247 or 1248 — M.M., 36b.

[13] While each dialogue begins with an issue related to the anti-usury program, the conversations range over a wide variety of topics.

[14] M.M., 226b.

This report ends in the middle of folio 227a, again with claims of success. It is followed by reference to a third meeting, which closes with an important note.

> Finally he accepted our views and intended to carry them out. In the meantime he was chosen to become a cardinal. Blessed is the Lord who made us pleasing in the sight of this man, that he might sustain us as we are this day, a large community. May the Lord soon redeem us.[15]

While the material in these pages stems from a number of conversations, it is apparent that they were all held with the same archbishop, obviously Guy Fulcodi, the only one of the prelates of Narbonne of this period to become a cardinal. Shortly after this promotion, Guy acceded to the papal dignity as Clement IV in 1265. The recurrent references to the letter written to the king fit nicely, since the letter was composed in the mid-1250's and Guy's tenure in Narbonne ranged from 1259 to 1261.

Preserved in the *Milḥemet Mitzvah* are reports of a series of meetings between the Jews and two of the most important ecclesiastical leaders in France, one of them destined for the highest honor in Christendom. These confrontations, dating from the mid-1240's down through the early 1260's, are part of the intensive Jewish effort to mitigate the impact of the harsh royal anti-usury legislation. Whatever their tangible results — and they probably were quite limited —, to the modern historian, who has little data from the period at his disposal, they reveal much.

* * *

The Hebrew protocols of debate over the new anti-usury enactments afford us information on some of the political complexities of southern France. We may begin by attempting to specify the authority by which these innovations were introduced. Within the confines of the royal senescalsies of Carcassonne and Beaucaire, the king himself could and did enact these

[15] *Ibid.*, 228b.

measures. Narbonne, however, from which our responses stem, was not part of these territories. It was an independent area of Languedoc, divided in fact among a number of jurisdictions. The two most significant powers in Narbonne were the archbishop and the viscount, both of whom controlled *inter alia* a Jewry.[16] It seems quite clear that the Jewish spokesman was addressing himself primarily to the archbishop as the direct overlord of a sizable group of Jews. Thus, in prefacing his report, he praises Archbishop Guillaume lavishly, but notes that on the issue of usury "he tended towards those who were attempting groundlessly to prohibit it to us."[17] Implied here is decision-making power on Guillaume's part. This is even more obvious in the archbishop's own opening remarks. After asserting friendship for the Jews, he focuses on the matter of usury and proclaims:

> Know well that my proper advice is that you lend no more at interest from this day forth. Concerning the obligations already entered, they (your debtors) shall pay you the principal.[18] However, all the interest involved in these obligations must be totally annulled, since this is a sin whose punishment is weighty. Behold all the land lies before you. Inhabit it, trade throughout it, and remove the stigma of usury from your souls.[19] Remember the words of prophecy of David, the Lord's anointed and his holy one: "O Lord, who may lodge in thy tabernacle? Who may dwell on thy holy mountain? The man of blameless life ... who does not put his money out to usury."[20]

[16] On the political realities in Narbonne, see again Emery, *Heresy and Inquisition in Narbonne*, 19–54. On the situation of the Jews, see Jean Régné, *Étude sur la condition des Juifs de Narbonne* (Narbonne, 1912).

[17] M.M., 32b.

[18] It is not clear whether the archbishop here implies forced repayment.

[19] Guillaume of Chartres, in his description of the king's anti-usury campaign, emphasizes this religious thrust — *Recueil des historiens*, XX, 34.

[20] M.M., 32b–33a. The quotation is from Ps. 15:5. Translations of Biblical passages are taken from *The New English Bible*. This verse was often cited in Christian attacks on Jewish usury.

While the archbishop was thus responsible for enacting the anti-usury measures in Narbonne, it is also apparent that the initiative for such legislation did not originate with him. Again Archbishop Guillaume is explicit on this point. Prior to outlawing Jewish usury, he elaborates on the factors determining his decision.

> Concerning the matter of usury, since it is a sin, he knew that his soul and the souls of those attempting to preserve it would be punished on the day of judgement before the Lord. (This he knew) from the king of France — indeed he (the archbishop) is not so wise as the king in their faith — and from the rest of their leaders. In fact, although the king needs to accumulate silver and gold to give to his troops, nonetheless he removes it (Jewish usury) from the land — he does not desire silver and gold through it.[21] Therefore what shall we be able to answer against him on the day of judgement.[22]

Since Louis saw the issue of Jewish usury in religious and moral terms, he felt it his duty as seigneur to prohibit it to those Jews directly subjected to him; as suzerain and king, he also felt an obligation to influence others towards enacting similar legsilation in their own domains. He had already actively exerted such influence in the north in the 1230's.[23] During the 1240's he applied similar pressures in the south, forcing such barons as the archbishop of Narbonne to imitate his program.[24]

Given the archbishop's own admission of the impact of royal views, the Jewish spokesman deems it highly important to attack the religious authority of Louis IX.

[21] Guillaume of Chartres also underscores the disinterested stance of the monarch, fully prepared to renounce all tainted material gains.

[22] M.M., 32b.

[23] Note, for example, the clear royal initiative in the enactment by a number of northern barons of the Ordinance of Melun in 1230 — Alexandre Teulet *et al.* (ed.), *Layettes du Trésor des Chartes* (5 vols.; Paris, 1863–1909), II, # 2083.

[24] Royal influence in the south is reflected also in the Jewish spokesman's addressing a letter of protest directly to the king — M.M., 67a–83a.

> As to your statement that you must learn from the king and that you fear lest your soul be punished through him on the day of judgement, it is not fitting for a great sage like you to utter such sentiments. For your soul will be more rigorously punished if you learn from him and abandon the advice of your great sages, including all the popes who have lived down to this day and the emperor as well.[25]

The Jew's technique is to pit authority against authority. In this respect the significance of the debates with Archbishop Guillaume looms all the larger. For at stake is more than simply the fate of those Jews belonging to the archbishop himself. If, as a temporal lord, the archbishop of Narbonne could be convinced to oppose institution of Louis' legislation in his domain, another impressive addition would be appended to the roster of eminent figures ranged against Louis IX. Then, in future arguments, the Jews would be able to add the highest ranking prelate of southern France to those popes and emperors who had refused to condemn Jewish usury.

The issue then in the confrontation with Archbishop Guillaume was the extension of the royal program into Narbonne under the prelate's patronage. From the Jewish source and Louis' own testimony, however, it is clear that this was preceded by an abortive effort on the part of the monarch or his officials to impose royal will directly on the Narbonnaise Jews. In his first set of remarks, the archbishop alludes to a clash between himself and royal officialdom. He begins by noting that

> he had already revealed his willingness to do well by us, preserving our persons and our property. Indeed we saw him stand in the breach on our behalf against the seneschal and all the officers of the land.[26]

In his second set of remarks, where he challenges the theoretical

[25] M. M., 33b. The same argument was made in the letter of protest directly to the king — *ibid.*, 70a–71a.

[26] *Ibid.*, 32b.

foundations of the Jews' right to lend money at interest to Christians, Archbishop Guillaume is far more explict. In claiming that Christians fit the Biblical category of kinsmen, from whom interest may not be taken, Guillaume reminds the Jews of the following:

> Now, consider well. Do you have a brother or a sister among your co-religionists who could rescue you from the despoliation of the senescal and his officers who just this year sought to drive you from your spacious homes and to send you forth naked and unclothed into the cold. (Indeed he sought) to hold your wealthy men in prison, until they redeem themselves with what they were thought to have safeguarded elsewhere or until they circulate through the villages and towns at the doorsteps of Jews or of those you deem foreigners (i.e. Christians) that they release to them their funds — illegally in fact as concerns usury. Indeed they (the Christians) were better than brothers, standing by you in your hour of trial. In fact you know that, as a result of my wise suggestion, taken by the consuls of the town, they would not release your funds and that they were prepared to go to the king of France himself to plead on your behalf.[27]

This remarkable statement, accepted by the Jew, is in some measure corroborated by the opening lines of the royal order of 1246 to the seneschal of Carcassonne. Louis commands

> concerning all those Jews who do not belong to us, but rather to others, whom you hold captive, that you return them to those overlords to whom they belong and that you seize nothing from them.[28]

Early 1246 thus saw a confiscation in which zealous royal officials abused their prerogatives and seized Jews belonging to other seigneurs.[29] If we are to accept the Jewish author's testimony,

[27] *Ibid.*, 34a–34b.

[28] De Vic and Vaisette, *Histoire générale de Languedoc*, VIII, 1191.

[29] This was quite common. Note, e.g., the spate of complaints over royal infringements on baronial rights in the wake of the confiscation of 1268 — see

the archbishop and the consuls of Narbonne banded together to ward off this unwarranted action and were successful in forcing the seneschal and his cohorts to desist. It was opposition of this sort that compelled the king to issue the order of 1246, restoring the seized Jews to their rightful overlords. Subsequent to this failure, the king fell back on the more normal expedient of moral and political pressure in coercing the independent feudal powers in Narbonne to follow his lead.

While the archbishop's opposition to royal despoliation represented a signal achievement on behalf of the Jews, it is not clear how successful the Jews were in combatting the archbishop's own stand against Jewish usury. The Jew's report ends with no claim of victory. The only possible accomplishment may have lain in the archbishop's willingness to aid the Jews in collecting the principal owed to them. The Hebrew text is vague: "Concerning the obligations already entered, they (your debtors) shall pay the principal."[30] If the archbishop intended by this some official aid in collecting funds, another modest success would have been scored, for Louis IX had already in 1230 ordered in the north that all governmental support for Jewish moneylending be withdrawn.[31] In 1246 he had extended this prohibition to the south.

> Moreover we order and command you that you compel no one to return obligations owed to the Jews.[32]

Royal depredation had been challenged and perhaps the royal position had been softened somewhat in Narbonne. In general, however, Archbishop Guillaume de Broue had introduced the major features of the monarch's anti-usury legislation.

In the Jewish author's preface to his report on the conversations with Guy Fulcodi, he emphasizes strongly a decided advantage

Arthur Beugnot (ed.), *Les Olim ou registres des arrêts* (3 vols. in 4; Paris, 1839–48); *Collection des documents inédits sur l'histoire de la France*), II, 195, 196, 212.

[30] M.M., 32b.

[31] Teulet, *Layettes du Trésor des Chartes*, II, #2083.

[32] De Vic and Vaisette, *Histoire générale de Languedoc*, VIII, 1191.

which the new archbishop presented. The Jews felt that, as a trusted figure in the royal retinue, Guy was sufficiently powerful to take a far more favorable stance on the issue of Jewish usury than had his weaker predecessor.

> It is written: "The earth is full of thy never-failing love, O Lord."[33] Behold, when the Lord establishes for his people a wise and loyal shepherd, one who loves justice, he indicates that the earth is indeed full of his never-failing love. For he who is imbued with wisdom and loves justice — it can be truly asserted — will decide litigation among all men properly. All the more so when he is a great and honored man, beloved of the king and appointed in his stead for all affairs of the land, needing to flatter no one nor to fear anyone's power.[34] In such circumstances, he can coerce anyone who stands up against his authority.[35]

For the Jews, the prestige which the new archbishop brought to his office was most encouraging.

It is interesting to note that, despite the determined opposition of Archbishop Guillaume and the personal power of Archbishop Guy, the abuse of royal rights noted in the mid-1240's did not altogether cease.

> On another occasion we came before him concerning the many instances of violence done to us by the king's servants and officers.[36]

While the details of these further incidents are not specified, the author claims that Guy intervened forcefully, as had his predecessor Guillaume.

Despite such sporadic outbursts, the key issue remained episcopal espousal of the king's anti-usury program. In this regard there are

[33] Ps. 119:64

[34] Guy Fulcodi was in fact such a powerful figure.

[35] M.M., 214a–214b.

[36] *Ibid.*, 226b.

signs of some change. On the one hand, the prohibition of usury became increasingly fixed in Narbonne. While the Jewish author claims to have refuted Archbishop Guy's contentions in support of the royal legislation, in fact the main thrust of the argument shifted to other grounds.[37] The Jewish spokesman seems to have recognized that little could be accomplished by debating the permissibility of Jewish usury to Christians. On the other hand, an extended attempt was made to achieve limited but tangible relaxation of the royal enactments. The focus of Jewish concern became episcopal enforcement of non-usurious obligations owed to the Jews. As noted, Louis had prohibited such coercion in his domains. The Jewish author complained stridently of this prohibition in his letter to the king and pursued this matter diligently in his entreaties to Archbishop Guy. Highly dangerous arguments advanced by the prelate were combatted, with the Jewish writer concluding on a note of triumph.

> Thank the Lord he accepted my argument, saying that he would consider returning to us the principal of our loans. Concerning the interest, however, he said that his intention was not to allow it.[38]

While we have suggested that Archbishop Guillaume may have continued to enforce non-usurious obligations owed the Jews, the Jewish spokesman claims that, by the late 1250's, Guillaume's successor had overtly committed himself to forcing repayment of such obligations.

In the third and final set of discussions held between Guy and the Jews, clearer signs of tangible progress — from the Jewish point of view — can be noted. The author suggests that, by this time, enforcement of obligations in general was no longer in question.

> On another occasion we came before him to request that he

[37] Note that Guy firmly reiterates his opposition to Jewish usury — *ibid*, 215b.

[38] *Ibid.*

> force the heirs of those indebted to us by oath to repay their obligations.[39]

It is striking that coercion of heirs to repay the debts of the deceased is at stake. This implies that, under more normal circumstances, the archbishop was forcing debtors to discharge their obligations. It thus seems that the more favorable stance announced earlier by Archbishop Guy had indeed been implemented and that the Jews had moved on to press a further point. Once again the Jew indicates that the archbishop had been convinced, although at this stage he left Narbonne to continue the spectacular rise through the Church hierarchy which would culminate in his election to the papal throne in 1265.

Looking back over this material from independent Narbonne, a number of developments are apparent. In this area, now surrounded totally by territories directly subservient to the crown, royal pressure was unremitting. On occasion, royal officials, in their enthusiasm, far exceeded the bounds of their power, even to the point of doing violence to baronial Jews. Seemingly the political authorities in Narbonne — both the archbishop and the consuls — were strong enough to resist such encroachments. Much more significant was the ongoing political and religious influence exerted by Louis IX. The moral leadership asserted by the monarch on the issue of Jewish usury was almost irresistible. The two archbishops of Narbonne were certainly unable to withstand the tide.

Nonetheless, despite continued adherence to the main lines of Louis' legislation, we do emerge with a sense of minor relaxation of the most stringent of these enactments. This seems to have been particularly true during the term of Guy Fulcodi in the see of Narbonne; it is perhaps traceable to his unusual political connections and strength. Some of the mood of desperation notable in the Jewish author's address to the king of France seems to be muted in his conversations with Archbishop Guy.

[39] *Ibid.*, 227a.

In sum, the political ambiance of Narbonnaise Jewry was highly complex. In order to maximize their privileges and minimize their limitations, these Jews had to have a full understanding of the complicated political relations evolving in Languedoc and exert their own leverage as adroitly as possible.

* * *

The focus thus far has been the political realities revealed in these Narbonnaise data and the signs of some moderation in the anti-usury campaign. The major concern of the Jewish author, however, was to record the arguments advanced for and against limitation of the Jews' right to lend money at interest to their Christian neighbors.

In effect, Archbishop Guillaume opened the initial discussion — according to the Jewish report — by simply invoking the image of the pious king of France and by exhorting the Jews to abandon usury and to pursue more useful economic functions in society.[40] It is the Jewish spokesman who initiates the argument itself. He begins by claiming a curious paradox: the royal program actually prohibits that which is permitted, i.e. Jewish usury, and permits that which is prohibited, i.e. the breaking of oaths.[41] The seriousness of a vow is emphasized by the author through the Biblical story of the Gibeonites. In that case, although an oath was exacted from the Israelites through deceit, it remained binding and was faithfully executed. Likewise, the vows taken by Christian debtors had to be scrupulously observed. There is here a striking parallel to the view of Pope Alexander III incorporated in the Decretales.

> Debtors should not be forced into paying usury where they have so obligated themselves, unless they are obliged by oath to pay it.[42]

[40] *Ibid.*, 32b.

[41] *Ibid.*, 33a. This is strongly emphasized also in the epistle to the king—*ibid.*, 68a–68b.

[42] Decretales, II, XXIV, c. 6.

For the Jewish author, however, the case is yet more extreme. While the Decretales suggest that the validity of the oath overrides the stigma of usury, according to the Jew there is no sin whatsoever attached to Jewish usury. He claims that usury is permissible to the Jews according to their understanding of Scriptures.[43] It is fundamental to Jewish status in Christendom that they be permitted to live according to the dictates of their own faith and not be forced to observe the norms of the majority religion. The Jewish spokesman buttresses his argument by adducing the parallel issue of divorce. While forbidden to Christians, the Jews in Christendom had always been allowed to abide by their own laws which permitted divorce. Likewise, contends the Jew, they must be allowed to lend at interest to Christians, since that too is permitted by their heritage.[44]

The Jew's initial statement is thus founded on the assertion that usury is in fact permitted by Jewish law. It is this to which the archbishop's rebuttal addresses itself. While agreeing that a breach of oath is a serious transgression, Archbishop Guillaume cannot concur with the contention that Jews are allowed by their own law to lend at interest to Christians. This view, while common among the Jews, is, according to the archbishop, mistaken. Basing himself on Deuteronomy 23:20, he asserts that the rationale for this presumed permission lies in the Biblical distinction between kinsman and foreigner. The prelate argues vigorously that, in view of his own actions and the aid proferred by his fellow townsmen, Christians must certainly be viewed as kinsmen.[45] The Biblical permission to lend at interest must apply to the Moslem world or to some other group; it cannot be construed as allowing Jewish usury to Christians.[46]

[43] M.M., 33b.

[44] *Ibid.* For Christian uses of the parallel with divorce, see Benjamin Nelson, *The Idea of Usury* (Princeton, 1949), 10–14.

[45] *Supra*, p.

[46] M.M., 34b, For similar views, see Delaborde, *Oeuvres de Rigord et de Guillaume le Breton*, I, 18, and Judah Rosenthal (ed.), *Sefer Yosef ha-Mekane* (Jerusalem, 1970), 61.

At this juncture, the Jew defends his contention that usury to Christians is permitted. He opens by acknowledging the archbishop's claim that he and the men of Narbonne had behaved towards the Jews in a most brotherly fashion.

> Indeed your words are true. You have been a faithful father to us, and all the gentiles have been like kinsmen and friends.[47]

The issue, however, does not revolve about kinship. The prohibition of usury, according to the Jew's view, is a special commandment aimed at protecting the poor. In both Exodus and Leviticus, the statements outlawing interest are linked directly to the impoverished Israelite. There is nothing inherently sinful about usury. Its prohibition is a limited one, flowing from a concern with one particular class only. After agreeing to the archbishop's protestations of friendship and sympathy, the Jew continues:

> But the reason for the permission to take interest from Christians is not quite as you have said. Know well that in all the Torah of Moses, in the statements made directly by the divine, you will not find him forbidding the taking of interest except from the poor. Thus it is written in the pericope Mishpatim: "If you advance money to any poor man amongst my people, you shall not act like a money-lender; you must not exact interest from him."[48] And in the pericope Be-Har Sinai: "When your brother-Israelite is reduced to poverty and cannot support himself in the community,... you shall not charge him interest on a loan, either by deducting it in advance from the capital sum, or by adding it on repayment. You shall fear your God, and your brother shall live with you. You shall not deduct interest when advancing him money nor add interest to the payment due for food supplied on credit."[49] Thus he did not forbid the taking of interest

[47] M.M., 34b.

[48] Exod. 22:24. I have altered slightly the translation in order to preserve the Jewish author's sense of the text.

[49] Lev. 25:35–37.

> except from the poor. The basis for this is the concept of charitable behavior, just as he commanded to return the poor man's pledge at night on the basis of the concept of charitable behavior. It is certainly not fitting to say that he must return a pledge to a wealthy man. Therefore there is in the Torah no prohibition of usury from the wealthy at all.[50]

This is a most unusual view, but one which appears consistently throughout the various sections of the *Milḥemet Miẓvah*.[51]

The archbishop attacks this view a number of times, with the Jew defending his case in each instance. At the end of the discussion, the author appends a series of additional arguments in a last attempt to sway Archbishop Guillaume. These include the claim that, all theological and legal considerations aside, usury is a social necessity.

> Who could imagine that society might exist without usury? Even officers and kings must borrow — indeed even the great king, the king of France. His officers have not been able to pass two consecutive years without large loans. In fact he almost lost some of his fortified cities during his war with the great baron, until his faithful Jewish official of Narbonne found him loans at high rates of interest.[52] Why then don't the great leaders of the land consider that, if they need to borrow at interest, what of the vast majority.[53]

This was an argument used by opponents of the royal program within court circles. Guillaume of Chartres depicts the king's advisors contending that usury is inevitable and therefore ought to be permitted to the Jews who are anyway damned.[54] The Jew's

[50] M.M., 34b–35a. In his letter to the king, the Jew presents his case more fully, arguing that since the prohibition of usury represents a special act of charity it applies only within the Jewish community itself, despite the acknowledged kindnesses of the archbishop and his confreres.

[51] See, e.g., 69b and 5b–6a.

[52] This is probably a reference to the abortive uprising of Raymond VII of Toulouse in mid-1242.

[53] M.M., 36b.

[54] *Recueil des historiens*, XX, 34.

suggestion was less derogatory, indicating that the lender filled an indispensable role in all societies. The king's own need to borrow money should have opened his eyes to this inescapable necessity.[55]

The Jewish author also warned that dire consequences would flow from the injustice of annulling obligations previously undertaken.

> Now are you superior to your ancestors? They were successful in war and conquered the lands of their enemies. Among them there was equality for the foreigner and the alien, as commanded: "There is one and the same rule for you and for the alien who resides among you."[56] How do you think they were successful in war? You, on the contrary, do not judge fairly; you allow injustice and violence and despoliation of our property. Behold what Solomon said in his book written with divine inspiration; "A king seated on the judgement-throne shall cast away all that is evil."[57] This means that, if he does not sit on a throne of judgement, evil will be able to stand up against him and he will not be able to cast it away.[58]

Reflected here is the impending Crusade. There is deep irony in the Jew's warning. Louis had after all been profoundly concerned with ridding his realm of injustice prior to undertaking his sacred venture. To that end he had sent investigators throughout the length and breadth of his lands to root out the misdeeds of his administrators.[59] In fact, the renewed assault on Jewish money-lending was also part of his spiritual preparation. As is common, however, human actions can be interpreted from a variety of

55 The argument from necessity is repeated strongly in the letter to the king.

56 Num. 15:15.

57 Prov. 20:8. I have again modified the translation slightly.

58 M.M., 36b.

59 For some of the records of these inquiries, see *Recueil des historiens*, XXIV, and Charles-Victor Langlois, "Doléances recueillies par les Enquêteurs de Saint Louis," *Revue historique*, XCII (1906), 1–41.

perspectives. Thus the Jewish observer saw the king's justice and piety as iniquity and warned him of the disaster it would bring upon the monarch and his people.[60]

The argument thus revolved essentially about two contrasting understandings of the Biblical prohibition of usury. The archbishop, basing his case on Deuteronomy 23:20, limited usury only to loans extended to the foreigner; by removing Jewish-Christian relations from that category, he negated the Jews' right to exact interest from their Christian neighbors. The Jewish spokesman on the other hand proposed a radically different alternative. Emphasizing rather Exodus 22:24 and Leviticus 25:35–37, he saw the prohibition of usury as a special act of charity directed only towards the Jewish kinsman. Contending vociferously that the majority faith had no right to impose its understanding of the Bible upon the Jews, he insisted that his brethren must therefore be permitted once more to ply their accustomed trade.

Subsequent to his discussion with Archbishop Guillaume, the spokeman for Narbonnaise Jewry had penned a lengthy message of complaint to King Louis himself. In the epistle, the arguments presented to the archbishop underwent substantial development and refinement. As a result, the *résumés* of the conversations with Archbishop Guy refer constantly to the letter, without repeating the case there detailed. The situation, however, had not remained frozen. As noted, the Jews had shifted their goals somewhat, focusing on governmental enforcement of non-usurious obligations. Moreover, Archbishop Guy had new arguments to present; he had amassed fresh information on the Jews, primarily data drawn from the Talmud, and utilized this knowledge in responding to the ongoing Jewish effort to promote relaxation of the anti-usury measures.

While the charges levelled by Nicholas Donin and the trial which they generated all stem from the period between 1236 and

[60] In the letter to the king, written subsequent to Louis' startling defeat in the east, the Jewish author shifts from warning of impending punishment to proclaiming the crusading failure a result of the monarch's unjust behavior towards the Jews.

1240, there is no sign of this information either in the discussions with Archbishop Guillaume or in the letter to the king.[61] Archbishop Guy, however, was familiar with this material. Some of it may have reached him as a result of the Donin episode; more was made available by apostates in the archbishop's entourage.[62] These data were now woven into the dispute over Jewish usury.

The key issue debated with Guy was not really the propriety of Jewish usury; it was the Christian responsibility to honor obligations freely made. Armed with new information from the Talmud, Guy advances the following contention:

> Indeed you must acknowledge that, as you judge me, so may I judge you. Now behold it is written in your Talmud that robbery of the gentiles, theft from the gentiles, and the gentile's funds are all permitted to you. Also concerning the return of lost goods, you say that such goods belong to you and need not be returned to their owners.[63] Since this is your view of us, we may likewise judge you, failing to return your loans and even that which gentiles rob from you.[64]

This is a charge that is prominent in the list of allegations drawn up against the Talmud. Here it is no longer used simply in attacking the Jewish tradition; here its implications are utilized to justifiy non-payment of obligations owed to the Jews. The thrust is a highly dangerous one. Its ultimate ramification would be the removal of all normal societal safeguards for the Jews. If the

61 On the allegations of Nicholas Donin, see, *inter alia*, Isidore Loeb, "La controverse de 1240 sur le Talmud," *Revue des études juives*, I (1880), 274–261; II (1881), 248–270; III (1881), 39–57; Judah Rosenthal, "The Talmud on Trial," *JQR*, XLVII (1956–57), 58–76 and 145–196; Ch. Merchavia, *Ha-Talmud bi-Re'i ha-Naẓrut* (Jerusalem, 1970), 227–360.

62 For converts in the retinue of Archbishop Guy, see M.M., 215b and 224a.

63 Most of these allegations are taken from or are at least parallel to the charges levelled in the 1240's. See Loeb, "La controverse de 1240 sur le Talmud," *Revue des études juives*, II (1881), 265–267. Cf. the Hebrew report of these claims in the *Vikuaḥ R. Yeḥiel mi-Pariz* (Thorn, 1873), 8–9.

64 M.M., 214b.

argument were to be taken seriously, they would be totally exposed to lawlessness and violence.

Just as the allegation was by this time familiar, so was its rebuttal. The Jewish spokesman was prepared with a reply:

> What was said there permitting the funds of the gentile and his lost goods refers only to those who were part of the seven nations concerning whom it was said: "You shall not leave any creature alive,"[65] because they were idolaters and guilty of weighty sins, or to those who follow in their wicked ways. But concerning a gentile who is not idolater, we are commanded to sustain him... In fact they say in the Talmud that gentiles outside the Holy Land are not idolaters at all; rather they only follow the customs of their forefathers.[66] Moreover, it is well known from your sages that you believe that the Creator is without beginning or end, is one, created both the upper and lower worlds, is imminent but unseen, examines the heart, rewards the good and punishes the wicked. This is the essence of the faith that one must hold. (Hence it is proper) to sustain you and to guard your persons and your goods. You likewise are commanded to sustain us and to guard our persons and all that we own.[67]

This distinction between the gentiles of Palestine of the Biblical period and the contemporary residents of western Christendom was formulated carefully by R. Yehiel of Paris in his defense of the Talmud in 1240.[68] In the new context of the anti-usury campaign, it again proved critical. The Jewish leader reaffirms his people's fundamental commitment to civilized behavior towards their Christian neighbors, implying reciprocal treatment on the part of the majority.

There is a most revealing additional observation made by the Jew, reflecting southern-French religious life. After affirming that

65 Deut. 20:16.
66 Talmud Bavli, Ḥulin, 13b.
67 M.M., 215a
68 *Vikuaḥ R. Yeḥiel mi-Pariz*, 9–11.

his Christian contemporaries are not idolaters and hence deserve all normal ethical consideration, the Jewish speaker notes:

> But those sectarians whom you call "heretics," who believe in two divinities, one good and one evil, and who say that all which is seen by the bodily senses is not the creation of the one good godhead, it is fit to do away with their persons and to consider their funds common property. On this matter you undoubtedly concur.[69]

This is a reference of course to southern heresy, which had, by this time, been vigorously combatted for a number of decades. The Jewish author utilizes these sectarians to indicate that the distinction which he had drawn is a qualitative one between idolater and monotheist. The ranks of the former are not necessarily limited to days of yore; idolatry still existed in his own times. Towards such idolaters the normal rules of societal life are to be suspended, as in fact the Church had done in its efforts to stamp out the dissidents of Languedoc. Orthodox Christians, however, in no way deserve to be considered adherents of such misbelief.

At this point, the Jewish author introduces an interesting bit of byplay. The archbishop is made to react with surprise, asking whether these views were really found in the Talmud. The Jew responds:

> My lord. Know truly that it is so. If you wish, command one of those who have left the confines of our faith. I shall show him all this in the Talmud and he will read it before you in the vernacular.[70]

The same converts used to afford information on Jewish tradition were here turned to the Jews' advantage.

[69] M.M., 215a–215b. On the theology of the Cathars see especially Arno Borst, *Die Katharer* (Stuttgart, 1953). For further Jewish familiarity with Cathar views, see Frank Talmadge, "A Hebrew Polemical Treatise Anti-Cathar and Anti-Orthodox," *Harvard Theological Review*, LX (1967), 323–348.

[70] M.M., 215b.

This represents the heart of the discussion between Archbishop Guy and the Jews on the specific issue of obligations owed to the Jews. The argument drawn from the Talmud is Guy's one original contribution to the ongoing dialogue on Jewish business affairs in Narbonne; for the Jewish spokesman, already familiar with the allegation, it was not difficult to rebut.

The 1240's and 1250's thus reveal themselves as decades fraught with danger for the Jews of Languedoc. Along with sporadic royal violence and constant royal pressure, came the challenge posed by vigorous ecclesiastical theorizing, enriched on occasion with new insight into Jewish sources themselves. Just as adroitness in political maneuverings was indispensable, so too did Jewish existence hinge on intellectual acuity. Jewish spokesmen had to be on the alert always to parry new thrusts. A sense of this unremitting intellectual effort remains in the pages of the *Milḥemet Miẓvah*. Unfortunately for the Jews, political adroitness and academic subtlety did not suffice. By late 1306, northern-French Jewry and southern-French Jewry, including the community of Narbonne as well, were no more.

INSIGHTS INTO THE LIFE AND THOUGHT OF ELIJAH MEDIGO BASED ON HIS PUBLISHED AND UNPUBLISHED WORKS*

BY DAVID GEFFEN

Elijah del Medigo, also known as אליה מקנדיה and Helias Cretensis,[1] was born in 1460 in Candia on the isle of Crete.[2] The son of Moses Abba del Medigo, he was one in a long line of Cretan del Medigos who had lived on this island since the early fourteenth

* I am indebted to Professors Paul O. Kristeller, Arthur Hyman, Isaac Barzilay, and James Walsh of Columbia University for their assistance and guidance in my study of Elijah del Medigo entitled "Faith and Reason in Elijah del Medigo's *Beḥinat ha-Dat* and the Philosophic Backgrounds of the Work" (Unpublished Ph.D. dissertation, Columbia University, 1970). It will be referred to in subsequent notes as *EDM*.

[1] These are the two most often cited versions of his name in Hebrew and in Latin. The following variations are also found in primary and secondary sources: Elias Cretensis, Elia di Creta, Elia del Medigo, Elia del Medego, Elias Ebreo, Helie Iudeo, Elia del Medico, Helias Hebreus, Elias Hebraeus Cretensis, Elie del Medigo, Elias Cretensis Hebraeus, Helia Cretensis, Helie Hebrei Cretensis, Elias Hebraeus Cretensis, Helias Hebreus Cretenses, אליה אליה קריטינס, בן משה אבא.

[2] Umberto Cassuto, *Gli Ebrei a Firenze* (Florence, 1918), 282–284. The date of Elijah's birth must be derived from the date of his death. His student, Saul Cohen Ashkenazi, in a letter to Don Issac Abravanel, dated 1506, points out that Elijah del Medigo had died thirteen years before, making the date of his death 1493. This statement is found in Saul Cohen, *Sheelot Shaul* (Venice, 1574), 6a. Moses Metz, *Sefer Elim* (Amsterdam, 1629), 43–44, in his genealogy of the del Medigo family, noted that Elijah was about 35 years old at the time of his death. Based on this evidence, Cassuto has concluded that Elijah was born around the year 1460. A different dating of his life is found in Moise Schwab, "La littérature rabbinique et la littérature chrétienne au moyen age: Elie del Medigo et sa famille Pic de la Mirandole," *Annales de philosophie chrétenne*, VI ser., XVI (1878), 357–358, who argued that the dates of Elijah's life are 1460–1497. Heinrich Graetz did the same in *Geschichte der Juden* (Leipzig, 1873), Vol. 8, 244 esp. n.2. Both Schwab and Graetz base their dating on Josef Shlomo del Medigo's *Maẓref la-Ḥokma* (Warsaw, 1893), 3a, who noted

century but who traced their lineage back to Germanic origins.[3] One of Elijah's most famous ancestors was Shemariah ben Elijah del Medigo, who was known as Shemariah Ikriti, the Cretan. Shemariah moved from Crete to Italy in the fourteenth century, where he was a member of the court of Robert, King of Naples, in the third decade of that century. Aside from translating philosophic works from Hebrew into Latin for the king, Shemariah wrote a Hebrew philosophical commentary on the Bible which he dedicated to the king.[4] Josef Shlomo del Medigo, a great-nephew of Elijah who lived in the seventeenth century, was the most fascinating, illustrious and well-traveled member of this family.[5]

There is very little information about Elijah del Medigo's early formative years in Crete prior to 1480. During the last quarter of the fifteenth century the isle of Crete was a crossroads for Jews who were leaving Spain and traveling to the Turkish empire and Palestine, and for itinerant Jewish scholars coming from North Africa and Palestine.[6] When Constantinople fell in 1453, Crete became a stop-off point for Greek scholars who were making their way to Italy.[7] There was great intellectual ferment in Crete since

that Elijah left Italy after Pico's death in 1494. However, this is impossible because Elijah was in Crete at the end of 1490 when he finished his *Beḥinat ha-Dat*, i.e., "the eighteenth of Tevet 5251" (December 31, 1490).

[3] Moritz Steinschneider, "Candia, cenni di storia letteraria," *Mosé*, III (1880), 282–284; cf. Metz, *Sefer Elim*, 43.

[4] Steinschneider, "Candia, cenni di storia letteraria," 284–285. Cf. Attilio Milano, *Storia degli ebrei in Italia* (Torino, 1963), 654. Cf. Cecil Roth, *The Jews in the Renaissance* (Philadelphia, 1959), 71.

[5] Josef Shlomo del Medigo was born in Crete in 1591 and died at Prague in 1655. He studied in Italy at the University of Padua under Galileo and then served as a teacher and rabbi in various Jewish communities in Europe and Asia. He was the author of many books covering a wide variety of subjects from mathematics to the Kabbalah.

[6] Moritz Steinschneider, *Die Hebraeischen Übersetzungen des Mittelalters und die Juden als Dolmetscher* (2nd ed.; Graz, 1956), p. 939. Cecil Roth, *Venice* (Philadelphia, 1930), 299–304.

[7] Deno John Geanakoplos, *Byzantine East & Latin West* (New York, 1966), 140–147; *Idem*, *Greek Scholars in Venice* (Cambridge, 1962), 47–51, 67–73, 89–93.

resident on the island were a variety of learned men who could give instruction in both Jewish and secular philosophy, the sciences and the Kabbalah. A list of manuscripts owned by a Cretan Jew in the fifteenth century reveals that his library contained in addition to many kabbalistic works, the *Moreh Nebukim* of Maimonides, *Commentary* on a physical treatise of Averroes by Gersonides and the *Ikkarim* of Albo.[8] Hence there is evidence that Elijah must have had access to the Jewish philosophical classics. In 1480, when he wrote his first philosophical treatise in Venice, his new home, he demonstrated a knowledge of major segments of Averroes' system of thought.[9]

The only possible reference to Elijah's youth on the isle of Crete is a citation in a responsum by Joseph Colon, a leading rabbi in Italy in the last half of the fifteenth century.[10] In that responsum Colon describes Elijah del Medigo as "a wonderful student of the Law."[11] Whereas Cassuto has suggested that this reference may be to another Elijah del Medigo, there is a statement in Elijah's Hebrew *Commentary on the de Substantia Orbis* of Averroes which may confirm Colon's citation. In 1485, the date of the *Commentary*, Elijah writes, "I have previously composed several treatises on religious law."[12] These treatises are lost, but his reference to them indicates that he was quite knowledgeable in the field of Jewish law.

[8] Umberto Cassuto, *Codices Vaticani Hebraici* (Rome, 1956), 67, n. 49, 157–163, n. 105. Joshua Starr, "Jewish Life in Crete under the Rule of Venice," *Proceedings of the American Academy for Jewish Research*, XII (1942), 107–109; Georges Vajda, "Un inventaire de bibliothèque juive d'Italie," *Revue des Études Juives*, CXXVI (1967), 481–483. I am indebted to Professor Isaac Barzilay for these references.

[9] At the end of his Latin treatise *Question on the Efficiency of the Universe* the date and place of its composition are listed as Venice, 1480. This *Question* was published in John of Jandun, *Super Octo Libros Physicorum* (Venice, 1488), 123b–133b.

[10] Joseph Colon was born in 1420 and died in Pavia, Italy in 1480. Cassuto, *Gli Ebrei a Firenze*, 93, 226, 254, 292. Cf. Shlomo Simonsohn, *History of the Jews in the Duchy of Mantua* (Hebrew) (Jerusalem, 1964), II, 456–458.

[11] Joseph Colon, *Responsa* (Sadilkov, 1834), n. 54, 23a.

[12] Paris Bibliotheque Nationale, Hebrew MSS, 968, fol. 75a. וכבר חברתי קצת קונטריסי׳ בדינים התוריים.

Hence Joseph Colon would have been justified in his praise of this Elijah del Medigo.

Since Crete was under Venetian rule, citizens of Crete could travel freely in Venetian territories. As a result, in 1480 Elijah was able to reside in Venice. Throughout his ten year stay in Italy from 1480 to 1490, Elijah del Medigo was sought out by Christian scholars because of his knowledge of the Averroist positions on such key philosophical issues as the concept of the universe and the unity of the intellect. Moreover, since these thinkers were aware that some commentaries of Averroes existed only in Hebrew, they turned to knowledgeable Jews, in particular del Medigo, to find out what these works contained. Individuals such as Girolamo Donato, Domenico Grimani, Antonino Pizzamano of Venice and the well-known Pico della Mirandola befriended him and employed him to teach them the doctrines of Averroes or to translate the works of the Arabic philosopher from Hebrew into Latin for their use.[13] With their encouragement and financial assistance, he wrote in Latin three original treatises on the universe in addition to four of his own commentaries on the work of Averroes, and he translated eight commentaries of Averroes into Latin.[14]

This list may not be complete, since his works are still being discovered. In fact, a 1491 manuscript of del Medigo's translation of Averroes' *Commentary on Plato's Republic*, which he prepared for Pico in 1485, was discovered in 1964 by Professor Paul Kristeller in Siena, Italy,[15] Del Medigo's patrons rewarded him handsomely

[13] Elijah del Medigo wrote a treatise for Girolamo Donato in Venice in 1480. He authored translations of several works of Averroes for Domenico Grimani and Antonino Pizzamano in Venice in 1488. Elijah met Pico in Padua in 1481 and he translated and wrote original treatises for him from then until 1486. *EDM* 9, 11–14, 29–31.

[14] See Appendix at the end of this paper.

[15] Paul O. Kristeller, "Giovanni Pico della Mirandola and his Sources," in *L'opera e il pensiero di Giovanni Pico nella storia dell 'umanesimo* (Florence, 1965), I, 58, 118–119. Cf. Averroes, *Commentary on Plato's Republic*, ed. & trans. by E. I. J. Rosenthal (2nd ed.; Cambridge, 1966), 7, esp. n.3.

and he used their presents to maintain himself during his decade in Italy. A letter written by del Medigo to Pico in 1486 specifies the financial terms:

> Your worship has written me concerning the price. It has always seemed very strange to me that it should be possible to speak in such terms between us. I am not a man who pursues money. I only desire what my needs require. However, so that you should not consider me a boor, send me a little present, not a great one as you usually do, and I will be as happy with it as I would if the Grand Turk conferred a castle on me. Let us talk no more about it.[16]

Another well-known thinker with whom Elijah del Medigo made contact was Ermolao Barbaro.[17] This Venetian humanist

> "was a careful student of the Greek text of Aristotle and set himself the task of making the true Aristotle known through new translations and commentaries."[18]

Because of his desire to reestablish the original text of Aristotle, Barbaro greatly despised the medieval interpreters of Aristotle. On May 4, 1485, Barbaro sent a letter to del Medigo, who was then in Florence lecturing and translating for Pico,[19] in which he criticizes the contention of del Medigo that the syllogism used in logic has four figures. This epistle was in reply to an earlier letter written by del Medigo announcing his discovery of this new insight in the science of logic.

16 Paris Latin MSS, 6508, fol. 76b. Cf. Schwab, "La littérature rabbinique ...," 368–369; Cassuto, *Gli Ebrei a Firenze*, 291 esp. n. 4; Roth, *The Jews in the Renaissance*, 115–116.

17 Ermolao Barbaro was born in 1450, and he lived in Venice from 1480 to 1493 at which time he died a very young man.

18 Paul O. Kristeller, *Eight Philosophers of the Renaissance* (Stanford, 1964), 58.

19 Ermolao Barbaro, *Epistolae, Orationes, Carmina*, ed. by Vittore Branca (Florence, 1942), I, 87–90. Cf. Arnaldo Ferriguto, *Almoro Barbaro* (*Miscellanea di Storia Veneta*, ser. 3, (XV, 1922), 303–305.

Del Medigo was acquainted with this subject through Averroes' discussion of the four figures of the syllogism in his *Middle Commentary on the Prior Analytics*. Elijah knew from this work that Galen was assumed to be the originator of the additional figure in the syllogism. Whereas Averroes disagreed with the four figure syllogism, del Medigo espoused it. His advocacy of this theory was not unique in the Renaissance since other thinkers such as Peter of Mantua and Jacob Zabarella held this position as well.[20]

Traditional logic defined the syllogism as containing two premises and a conclusion, which were built on three terms. These terms are designated: the minor term because it is found in the minor premise and is the subject of the conclusion; the major term because it is found in the major premise and is the predicate of the conclusion; and the middle term which appears in both premises. Originally, in Aristotelian logic, it was thought that there were only three figures in the syllogism, i.e., three possible arrangements of the three terms in the two premises. In the first figure the middle term was the subject of the major premise and predicate of the minor premise. In the second the middle term was the predicate of both premises, and in the third the middle term was the subject of both premises. However, there was a fourth figure of the syllogism. It was initially discussed in the Middle Ages, but it may have been discovered by Galen in the second century.[21]

Returning to the position of del Medigo, it is clear that in his 1485 letter to Barbaro he pointed out that the middle term is the predicate in the major premise and the subject in the minor premise. Since this figure is the reverse of the first figure, it was known initially in the history of logic as the "indirect first figure." However, as is evident from Barbaro's reply and critique, del Medigo thought that this was a legitimate fourth figure of the syllogism, which indeed it was. For Barbaro who followed the

[20] Nicholas Rescher, *Galen and the Syllogism* (Pittsburgh, 1966), 32–33

[21] Morris R. Cohen and Ernest Nagel, *An Introduction to Logic and Scientific Method* (New York, 1934), 81–84; Eduard Zeller, *Outlines of the History of Greek Philosophy* (New York, 1957), 187–190; W. Windelband, *History of Ancient Philosophy* (New York, 1956), 249–253.

original text of Aristotle, only three figures of the syllogism were conceivable. He therefore explained to del Medigo that his assumption of a fourth figure was impossible and that his view concerning the syllogism should be corrected.[22]

It is specifically during this period when Barbaro corresponded with del Medigo that the former wrote to Pico his most famous and oft-quoted letter in which he labels medieval philosophers as uncultured and barbarous — not deserving to be read or studied.[23] Hence, it may be suggested that Barbaro was motivated to write to Pico because he considered del Medigo's letter, containing the discussion of the fourth figure of the syllogism, representative of medieval misinterpretation of the position of Aristotle. There is no actual proof that del Medigo was responsible for Barbaro's writing to Pico. We do know, however, that Barbaro criticized del Medigo's theory of logic in his letter to him and that he was aware of del Medigo's relationship with Pico.[24]

Among the historical data found in del Medigo's Hebrew writings still in manuscript is the initial Italian reference to a custom begun in the fourteenth century and still practiced by Jews everywhere today. At the conclusion of his Hebrew version of his commentary on Averroes' *de Substantia Orbis*, written in Bassano in 1485, del Medigo recorded a description of various religious practices of Jews whom he had recently met. He wrote:

ילכו כלם אנשים ונשים וטף אחרי אכל ושתה בראש השנה אל הנחלים ואל

[22] Ermolao Barbaro, *Epistolae, Orationes, Carmina*, 88–89; Arnaldo Ferriguto, *Almoro Barbaro*, 295–299. Cf. Rescher, *Galen and the Syllogism*, 13–14, 28–30.

[23] The English translation of Barbaro's letter is in Quentin Breen, "Giovanni Pico della Mirandola on the Conflict of Philosophy and Rhetoric," *Journal of the History of Ideas*, XIII (1952), 384–426.

[24] Bohdan Kieszkowski, "Les rapports entre Elie del Medigo et Pic de la Mirandole," *Rinascimento*, LV (1964), 46; Ferriguto, *Almoro Barbaro*, 295–298; Avery Dulles, *Princeps Concordiae* (Cambridge, 1941), 32–33. Barbaro's letter to Pico was sent in April and Pico's reply was sent in June. We do not know the date of del Medigo's letter to Barbaro, but Barbaro's reply was sent in May. Thus all the letters were in circulation during the same period of time.

האגמים לנער בגדיהם מן העוונות... וקצת מחסידכם לא יאכלו הדגים באותם הימים יען כי אכלו עוונות האנשים.

> 'One finds that they all — men, women, and children, after eating and drinking on Rosh Hashanah, go to the rivers and to the lakes to shake their garments free of sins... some of their pious ones, *chasidachem*, do not eat the fish from these waters because they would be eating the iniquities of people.'[25]

This, of course, is a reference to the practice of *tashlich*. Del Medigo had never witnessed *tashlich* before, because it was unheard of in Candia. Lauterbach pointed out in his exhaustive study of this subject that *tashlich* began in Germany in the late fourteenth century. The first reference to it as a *minhag* is in the *Sefer Maharil*, a late 14th century work by Jacob Moellin, the rabbi of Mainz.[26] There are other references to *tashlich* in Germany in the early 15th century, but the description by del Medigo is the first record of it in Italy. In addition the reference to this practice by del Medigo demonstrates the presence of German Jews throughout northern Italy during the last quarter of the fifteenth century.[27]

Further on in this same treatise, del Medigo added sadly: "If one does not follow their ways, they scream at him in opposition,"[28] — the assumption being that those treated in this manner will submit to their dictates. Del Medigo concluded the discussion by noting:

> 'in spite of all this (their practices) they are very weak in regard to many of the important facets (of Judaism) and והכסיל בחשך ילך "the fool walks in darkness" (a rewording of the verse in Ecclesiastes).[29]

[25] Paris Hebrew MSS, 968, fol. 74a.

[26] Jacob Lauterbach, "Tashlich," *HUCA*, XI (1936), 283–295. He argues that *tashlich* began in Germany because it was an aspect of the practical mysticism of that country.

[27] Cecil Roth, *The History of the Jews of Italy* (Philadelphia, 1946), 171–174, 277.

[28] Paris Hebrew MSS 968, 74a–74b. ואשר לא יעשה כמעשיהם יצעקו עליו במקבילות.

[29] Paris Hebrew MSS 968, fol. 74a–74b. Ecclesiastes 2:14 reads החכם עיניו בראשו והכסיל בחשך הולך.

Del Medigo is referring here to the newly arrived German Jews living in Padua who were driven from their homes throughout the fifteenth century by expulsion and by the fear of being massacred. Consequently, they moved from southern Germany into Northern Italy.[30] Padua, because of its religious institutions and its proximity, became the central city around which they congregated. Many of these individuals were kabbalistically oriented, as well as being extreme pietists. They were in the vanguard of the fight against Jews studying philosophy and applying it to interpret Judaism. Such individuals were, in del Medigo's eyes, intellectually weak, and hence they were like fools walking in the darkness, as this quotation indicates. The struggle between the kabbalah and philosophy was quite prevalent in Italy in the late fifteenth century as he newly arrived German Jews and the philosophically trained Italian Jews confronted each other. Elijah del Medigo was certainly involved in this controversy as can be seen in the description of his opponents.[31]

After ten productive years in Italy, Elijah del Medigo returned to Crete in 1490. Since there is some question as to why he returned, it is necessary to review some of the theories concerning this event. One well-known thesis is that Rabbi Judah Minz, the chief rabbi of Padua and the head of the talmudical academy of that city, excommunicated del Medigo because of his views on philosophy and religion. Minz's chief advisors, kabbalistically oriented Germanic rabbis who despised philosophy, may have influenced his decision to force del Medigo to leave Italy.[32] A second theory is that Bishop Pietro Barozzi of Padua's ban on the public teaching of the unity of the intellect in 1489 may have been used by churchmen

[30] Salo Baron, *A Social and Religious History of the Jews* (New York, 1967), XI, 275.

[31] Milano, *Storia degli ebrei in Italia*, 618–621; Heinrich Graetz, *History of the Jews* (Philadelphia, 1894), IV, 293–296; Cassuto, *Gli Ebrei a Firenze*, 290–293.

[32] N. Porges, "Elie Capsali et sa Chronique de Venise," *Revue des Études Juives*, LXXVIII (1924), 21–25. Cf. Milano, *Storia degli ebrei in Italia*, 619–620, 666–667.

to make del Medigo leave Italy.[33] Even though del Medigo did espouse the unity of the intellect, there is little evidence to suggest that he would be forced to leave Italy because of his views. Certainly del Medigo's friends in Venice, especially Domenico Grimani, could have protected him.[34] A third possibility for his return to Crete is based upon del Medigo's own writings, in which he criticized the Kabbalists and the extreme orthodox. He also referred to their tendency of shouting down those who disagreed with them.[35] Therefore, it is possible that this group "shouted" him out of Italy. No excommunication was necessary; they just made it so unpleasant for him that he had to return to Crete.

Elijah del Medigo wrote his best known work, the *Beḥinat ha-Dat* (*Examination of Religion*) in Candia at the end of 1490. His student, Saul Cohen Ashkenazi, informs us in a letter, written in 1567 and printed with the *Beḥinat ha-Dat*, that he had asked del Medigo, on his return to Crete, to write about the relationship between Judaism and philosophy.[36] What resulted from Ashkenazi's request was a treatise similar to what del Medigo had promised to write as far back as 1482. In the early part of that year he had planned to compose a work in which he would discuss those points of agreement between philosophy and the Torah and those points of disagreement.[37] In addition to treating this subject in the *Beḥinat ha-Dat*, del Medigo also included in

[33] Edward P. Mahoney, "Nicoletto Vernia and Agostino Nifo on Alexander of Aphrodisias: an unnoticed dispute," *Rivista Critica di Storia della Filosofia*, XXIII (1968), 270–271; Pietro Ragnisco, *Nicoletto Vernia* (Venice, 1891), 125–133; Giovanni di Napoli, *L'immortalita dell'anima nel rinascimento* (Torino, 1963), 181–188.

[34] *EDM*, pp. 29–31, 95–105. Even though Vernia was forced to renounce the Averroistic doctrine of the unity of the intellect, he was not exiled or excommunicated. Therefore, it is highly unlikely that del Medigo was excommunicated because of his similar views even though Barozzi's ban still could have applied to del Medigo.

[35] Paris Hebrew MSS, 968, fol. 42a, 77a–b.

[36] Elijah del Medigo, *Beḥinat ha-Dat* (Vienna, 1833), 83, 89. The English translation of *Behinat ha-Dat* can be found in *EDM* 388–460.

[37] Paris Hebrew MSS 968, fol. 150a.

the work a section on the fundamental principles and a section on the reasons for the commandments, traditional topics of interest in medieval Jewish thought, so it was not unusual that he dealt with them.[38] The most significant part of the work, according to Isaac Tishby, is del Medigo's critique of the Kabbalah, one of the first written critiques of that Jewish mystical movement. Over a hundred years later Josef Shlomo del Medigo, Elijah's great-nephew, felt the need of answering his ancestor and he wrote *Mazref la-Ḥokma*, refuting Elijah's critique of the Kabbalah. Although well known in Crete and Italy, the *Beḥinat ha-Dat* was not published until 1629 in a collection entitled *Ta'alumot Ḥokma*, and only in 1833 was it issued separately with a commentary by Isaac Samuel Reggio.[39]

Elijah del Medigo died in 1493 following an operation to remove a growth from his cheek. According to Josef Shlomo del Medigo:

> admirable Christians from the elite of the country, as well as heads of the city, attended Elijah's funeral dressed in garments of mourning and weeping bitterly for him.[40]

He had a short but productive life as is evidenced by the translations and original treatises which Elijah authored. These works provide the sources for further study of his life as well as for an analysis of his position on the relationship of philosophy and Judaism.

THE THEORY OF DOUBLE TRUTH IN THE WRITINGS OF ELIJAH DEL MEDIGO

According to most historians of philosophy such as Guttmann, Hubsch, and most recently Merlan and Schweid, Elijah del Medigo espoused the double truth theory in his writings.[41] Before dis-

[38] Arthur Hyman, "The Task of Jewish Philosophy," *Judaism*, XI (1962), 202–203; *EDM*, 259–378.

[39] J. S. del Medigo, *Ta'alumot ha-Ḥokma* (Basel, 1629), 2a–6b; *idem*, *Mazref la-Ḥokma*, 3b; Elijah del Medigo, *Beḥinat ha-Dat* (Vienna, 1833), 1–79. Cf. Isaiah Tishby, *Mishnat ha-Zohar* (Jerusalem, 1957), I, 47–49.

[40] J. S. del Medigo, *Mazref la-Ḥokma*, 3b.

[41] Julius Guttmann, "Elia del Medigos Verhältnis zu Averroes in seinem *Bechinat ha-Dat*," in *Jewish Studies in Memory of Israel Abrahams* (New York,

cussing this assertion it is necessary to describe the various ways in which the theory of double truth may be understood. In the first place, the theory of double truth may mean that a person can accept two contradictory statements, one in religion and one in philosophy, at the same time. In the second place, the theory of double truth may be applied to an individual who, in his system of thought, is only explaining the position of Aristotle or any other philosopher but is not expressing his own point of view. In the third place, the theory of double truth can mean that the conclusions of philosophy are only the discoveries of the human mind, while the truths of faith are the products of a supernatural revelation and are thus superior.[42] With these three possible varieties it will be demonstrated that del Medigo did espouse a type of double truth theory.

Before discussing the position of del Medigo on faith and reason, the pesition of Siger of Brabant and John of Jandun

1927), 192–208; Adolph Hubsch, "Elia Delmedigo's: *Bechinat ha-Dath* und Ibn Roschd's *Facl ul-maqal*," *Monatsschrift für Geschichte und Wissenschaft des Judenthums*, XXXI (1882), 555–563; XXXII (1883), 28–48; Philip Merlan, *Monopsychism, Mysticism, Metaconsciousness* (The Hague, 1963), 102ff.; Eliezer Schweid, *History of Jewish Philosophy from the Late Middle Ages to Modern Times* (Hebrew) (Jerusalem, 1971), 108–109. The theory of double truth was ntroduced into Jewish thought by Isaac Albalag in the latter part of the hirteenth century. Albalag lived in Catalonia, Spain, and in 1292 he composed a Hebrew version of Ghazali's *Maqasid al-Falasifa* with introductory notes and a commentary. In this work, he posited the theory that philosophic knowledge and the teaching of revelation do not have to be in agreement. He probably borrowed this doctrine from the Latin Averroists, whose writings he knew. Until del Medigo no other Jewish thinker except for Albalag espoused the theory of double truth. Isaac Albalag, *Sefer Tiqqun ha-De'ot*, ed. Georges Vajda (Jerusalem, 1973); Georges Vajda, *Issac Albalag* (Paris, 1960), 251–266; Julius Guttmann, *Philosophies of Judaism* (New York, 1964), 277–280.

[42] Arthur Hyman & James Walsh ed. *Philosophy in the Middle Ages* (New York, 1967), 450-451; Etienne Gilson, *Études de philosophie medièvale* (Strassbourg, 1921), 59–60; Stuart MacClintock, *Perversity and Error* (Bloomington, 1956), 89–90; *Idem*, "Heresy and Epithet," *Review of Metaphysics*, VIII (1954–55), 176–191, 345–352, 534–544; Anneliese Maier, *Metaphysische Hintergrunde der Spätscholastischen Naturphilosophie* (Rome, 1953), 10–11; Eugenio Garin, *Rinascimento Italiano* (Florence, 1961), 293–297.

will be briefly summarized. The doctrines of these medieval thinkers best typify what has been referred to as a theory of double truth. Siger of Brabant never used the word truth in relation to philosophy. He stated that the conclusions of reason were based solely on the opinions of Aristotle. While he viewed the canons of philosophy as necessary, rational and logically valid, Siger never labeled them as true since they were only conclusions arrived at through the process of reason. "We say these things as the opinion of the Philosopher, although not asserting them as true." Siger spoke of truth only when referring to revelation based on faith.[43]

John of Jandun stressed the role of intellect and sense-perception in arriving at philosophic conclusions. While the thought processes may lead one to conclusions contrary to revelation, John of Jandun did not regard such conclusions as being true. They were only the results of the logical reasoning of the intellect which is limited to empirical knowledge. Only God's revelations, whose origins we may not comprehend, were to be considered as truth.[44] Thus, neither of these two men, normally characterized as the major adherents of the double truth theory, maintained the theory in a pure form. What they did was to identify the possibility of a contradiction between faith and reason.

Elijah del Medigo maintained a variety of the theory of double truth since he advocated that both religion and philosophy had their own methodology and, for the most part, each discipline primarily discusses its own topics. If faith and reason were to deal with the same subject matter, there is still no problem. The subject can be approached by each discipline only within the boundaries of their individual methodologies. There can be no transference of conclusions from one discipline to the other. Even when philosophy arrives at a doctrine which conflicts with a doctrine of Judaism so that the Jew cannot accept it according to faith, that doctrine is

[43] Fernand van Steenberghen, *Aristotle in the West*, trans. by Leonard Johnston (Louvain, 1955), 227–228; Gilson, *Études de philosophie medièvale*, 58; MacClintock, "Heresy and Epithet," 526–527.

[44] MacClintock, *Perversity and Error*, 90–91; *Idem*, "Heresy and Epithet," 538–544.

still considered a part of the teachings of philosophy since it was demonstrated according to the methodology of philosophy.

To render del Medigo's point of view more exact, selections from his various writings will be cited. In the *Question on the Efficiency of the Universe*, dated 1480, del Medigo stated:

> If anything will be said (in this treatise) contrary to the Law (Torah), this will not be surprising since I want to speak of the ideas of the philosophers according to their foundations (of the ideas), for the approach of the Law, in which faith is placed, is different from the philosophic approach...[45]

In another passage in the introduction to the treatises on the intellect in 1481, del Medigo wrote:

> I do not think that the words of the Torah are explained through the method of philosophy nor does the former (Torah) need the latter (philosophy). No one thinks this way, according to my point of view, except for the man who is neither an adherent of Torah nor a philosopher... Moreover no one should think me in error because in my philosophic works I deal with the philosophers according to their methodology...[46]

Then, in the *Examination of Religion*, 1490, he went a bit further when he said:

> Therefore, I did not choose in my treatise on intellectual study to argue with the philosophers concerning matters in

[45] This quotation is in John of Jandun, *Super Octo Libros Physicorum*, 133a. Cf. Bohdan Kieszkowski, *Studi sul Platonismo del Rinascimento in Italia* (Florence, 1936), 144; Eugenio Garin, *Italian Humanism*, trans. by Peter Munz (Oxford, 1966), 97; Julius Guttmann, "Elia del Medigos...," 208. Merlan, *Monopsychism...*, 113ff.

[46] Paris Hebrew MSS 968, fol. 79a. אני לא אחשב שדברי תורה יתבארו בדרך הפלוסופות וגם לא נצטרך לזה ולא יחשוב זה כי אם האיש אשר לא תורני ולא פילוסוף... ולכן אין ראוי לאדם לחשוב עלי תועה בזה כי במאמרי׳ פילוסופי׳ הולך אני בדרך הפילוסופי׳.

> regard to which they do not agree with us philosophically for such matters are not within the purview of intellectual study.[47]

Hence, it is clear that del Medigo separated religion and philosophy along methodological lines. The goal of Judaism was to provide every Jew with an understanding of the truths of faith and the aim of philosophy was to clarify earlier philosophic doctrines. Both faith and reason must therefore use those methods which are essential to their endeavors. Del Medigo was quite explicit on this point. While he united faith and reason in certain areas, i.e. points of religion which are not fundamental, he separated them in others, i.e. the fundamental principles and points of conflict between the two.

In trying to ascertain del Medigo's approach to the theory of double truth, it is well to note that his system can not be equated with any one of the three aforementioned explanations of this doctrine but does possess aspects of each. His position appears to be similar to that of Siger when he points out that the goal of philosophy is to explain the teachings of his philosophic predecessors. In Jewish philosophic circles in the fifteenth century, the thinkers were mainly writing commentaries on the works of philosophers such as Maimonides and Averroes rather than producing original treatises. Thus it is possible that del Medigo absorbed this approach to philosophy from his Jewish contemporaries. It can also be argued that he acquired this understanding of philosophy from Averroes himself since del Medigo said:

> Just as Averroes explained Aristotle's words fully, I have to explain the words of Averroes since such wisdom (that of Averroes) has almost been lost in our day.[48]

Returning to del Medigo's theory of double truth, it will be seen that his resolution of the conflict between faith and reason bears

[47] E. del Medigo, *Beḥinat ha-Dat*, 18–19.

[48] Paris Hebrew MSS 968, fol. 3a. כאשר החכם הזה ב״ר ביאר דברי ארסטו גם אני בארתי דברי ב״ר כי כמעט החכמה קריבה להפסד בזמנינו.

some similarities to that of Jandun. Jandun argued that in case of disagreement between the conclusions of philosophy and the teachings of revelation, one turns to revelation because it is true.[49] Del Medigo said on this conflict:

> I do not verify all which is said (by the philosophers) and especially in regard to matters which perhaps are in opposition to the Holy Torah...[50]
>
> However, I relied on prophecy (revelation) and the tradition of truth...[51]

Del Medigo does not draw the lines as sharply as Jandun, but his conclusion is very much like Jandun's. Even though del Medigo's modified theory of double truth emphasizes the significance of the methodology of each body of knowledge, he still maintained that where philosophy differed with faith on a fundamental doctrine, one must ultimately rely on the position of revelation as embodied in the teachings of Judaism. In such a disagreement, del Medigo made it quite clear what action he would take, when he wrote:

> I will fight a holy war with the doctrines of the philosophers which appear contradictory to the Torah even though I think that when the Torah and wisdom are understood correctly there will be no conflict between them.[52]

This absence of any real controversy between the two disciplines was the essence of his theory of double truth.

[49] MacClintock, *Perversity and Error*, 88–89.

[50] Paris Hebrew MSS 986, fol. 79a. ולא אאמת כל אשר אומר ובפרט בדברים אשר אולי הם נגד התורה הקדושה.

[51] E. del Medigo, *Beḥinat ha-Dat*, 19.

[52] Paris Hebrew MSS 968, fol. 177a. ואלחם מלחמת מצוה במה שנראה מדבריהם סותר לתורה ואע״פ שאחשוב שכשיושבנו התורה והחכמה כראוי לא יהיה מחלוקת ביניהם.

APPENDIX

The most recent listing in 1970 of the writings of Elijah del Medigo contains many inaccuracies. Therefore, it is necessary to present this all-inclusive list of his writings, and their present locations, if they are in manuscript. For further bibliographical information on the works of Elijah del Medigo see the following: Jules Dukas, *Recherches sur l'histoire littéraire du quinzième siècle* (Paris, 1876); Moritz Steinschneider, "Elia del Medigo" *Hebraeische Bibliographie*, XXI (1881), 60–71; Giovanni Mercati, *Codici Latini Pico Grimani Pio* (Rome, 1938), 31–35.

THE WORKS OF ELIJAH DEL MEDIGO

Original Works

Quaestiones: De Primo Motore, De Mundi Efficientia, De Esse Essentia et Uno. In John of Jandun, *Super Octo Libros Physicorum* (Venice, 1488), 122a–134b. (Reprinted in seven editions until 1551).

De Esse Essentia et Uno. In Paris Bibliothèque Nationale Latin MSS, 6508, fol. 86a–87b, 92a–95b.

Adnotationes in Plurima Dicto. In Paris Bibliothèque Nationale Latin MSS 6508, fol. 1a–70b.

——. In John of Jandun, *Super Octo Libros Physicorum* (Venice, 1488), 135a–151b.

Commentary on De Substantia Orbis (Latin). In Vatican Latin MSS 4553 Selections also in Paris Bibliothèque Nationale MSS 6508, 95b–98a.

Commentary on De Substantia Orbis (Hebrew). In Paris Bibliothèque Nationale MSS 968, fol. 2a–77a.

Two Questions on the Intellect (Hebrew). I *On the Unity of the Intellect.* II *On Conjunction.* In Paris Bibliothèque Nationale MSS 968, fol. 79b–150b, 150b–177b.

Beḥinat ha-Dat (*Examination of Religion*). In Josef Shlomo del Medigo, *Ta'alumot Ḥokma* (Basel, 1926), 2a–8a.

——. Vienna, 1833.

Letters

Letter to Pico (1486). In Paris Bibliothèque Nationale MSS 6508, fol. 71a–77b.

Letter to Domenico Grimani (1488). In Paris Bibliotheque Nationale MSS 6508, fol. 78a. *In Meteorologica Aristotelis* (Venice, 1488).

Translations

Averrois Quaestio in Libro Priorum. In Vatican Latin MSS 4552.

——. In Laurentius Maioli, *Epiphyllides in Dialecticis* (Venice, 1497).

——. In Aegidius Romanus, *Quaestiones*. (Venice, 1552).

In Meteorologica Aristotelis (Averroes' *Epitome of Meteorologica*). In Vatican Latin MSS 4550, fol. 53a–61a.

——. Venice, 1488.

Averrois Commentatio in Meteora Aristotelis (*Middle Commentary*). In Vatican Latin MSS 4550, fol. 1–51b.

Averrois Commentatio in Metaphysicus Aristotelis (*Middle Commentary*). In *Aristotelis Opera Omnia*, Vol. XII, 218–220. Fragment in Paris Bibliothèque Nationale Latin MSS 6508, 81b–83a.

Averroes' Commentary on Plato's Republic. In Siena Latin MSS G. VII, 32.

Averroes' Proem to 12th Book of Metaphysics. In Paris Bibliothèque Nationale MSS 6508 fol. 78a–81a.

De Spermate. In *Aristotelis Opera Omnia*, (Venice, 1560), Vol. XII, 220–222.

Averrois Commentatio in Metaphysicus Aristotelis (Epitome). Paris Bibliothèque Nationale MSS 6508, fol. 83a–84b.

REFLECTIONS ON TRANSLATION AND MIDRASH

by JUDAH GOLDIN

For Morton Smith on his birthday
because he prefers the originals

Although the verb *targem* occurs only once in Scripture, and in a rather late book at that, the word is apparently no parvenu in Semitic, as the lexicons and my smart friends instruct me. The Akkadian *targumanu* was an interpreter, and that is what the translator has always been. As Professor S. Lieberman underscored for a later period, "... the first rudiment of the interpretation of a text is the ἑρμηνεία, the literal and exact equivalent of the Hebrew תרגום, which means both translation and interpretation." And the OED informs me that once upon a time the very English word "interpret" was used also for "to translate." When we ask, What is the oldest Midrash that has been preserved, the scholars answer, The Septuagint.

No less than the word, the activity of translation is hardly a newcomer on the cultural scene. From the middle of the second millenium B.C. there have come down fragments of an Akkadian recension of the Gilgamesh epic current in the Hittite Empire, and, continues Speiser, "the same Boğazköy archives have yielded also important fragments of a Hittite translation, as well as a fragment of a Hurrian rendering of the epic." Tablet XII of that epic is, according to the experts, "a literal translation from the Sumerian." None of this should be surprising. The first translation in history probably occurred when the first reader began his first rereading of the first author's composition, and he, the reader, wanted to make sure that he understood what the text said. When Jacob said גלעד he was already behaving like many before him. And maybe in the mind of the author of the Genesis story, על כן קרא שמו גלעד reflects what happens repeatedly in cultural history, to wit, once a translation is proposed it tends to be adopted and is

treated as though it alone were the correct interpretation. "When the book of Jonah was read in a Christian church in Africa from Jerome's new Latin version, there was an uproar, because the miraculous plant (4.6), which in the older translation was based upon the Greek had been rendered 'gourd,' was now identified with the 'ivy.'" When several years ago a "mist" ceased to rise from the earth, in the second Creation story, this omission caused a tumult for months on end.

If the Mishnah goes to the trouble to declare that when one translates ומזרעך לא תתן לאעברא as ומזרעך לא תתן להעביר למלך בארמיותא, he is not only to be silenced but rebuked (משתקין אותו בנזיפה), it is wittingly or unwittingly admitting that a translation and interpretation the Sages resent, are popular in certain quarters: the translation and interpretation have taken hold (of some Karaites two centuries later), are passing for the real thing, and pretty soon every one may begin to think that this is how the original reads.

Translation — because it really equals translation plus interpretation — is in truth effective. Because that is so, a kind of literary hybris tends to develop, and it may be demanded that the translation be treated no less solemnly than the original. When the Greek translation of the Pentateuch had been executed and read to τὸ πλῆθος τῶν Ἰουδαίων εἰς τὸν τόπον, there was a great ovation (a μεγάλη ἀποδχή), and then the priests, the elders of the translators, some of the corporate body and the leaders of the people rose and said, "'Inasmuch as the translation has been well and piously made and is in every respect accurate (καὶ κατὰ πᾶν ἠκριβωμένως), it is right that it should remain in its present form and that no revision of any sort take place.' When all had assented to what had been said, they bade that an imprecation be pronounced, according to their custom, upon any who should revise the text by adding or transposing anything whatever in what had been written down, or by making any excision; and in this they did well, so that the work might be preserved imperishable and unchanged always."

It may be that on hearing these words the author of Deuterono-

my would be taken aback, as perhaps also the Vizier Ptah-Hotep (though some have questioned the current rendition) and still another bureaucrat who spoke of how to deliver a message. It doesn't matter. Nor does it matter whether Aristeas is writing fiction or history. What does matter is the expression of an attitude, Don't underestimate translation.

Nor, to take one further step, do the talmudic Sages disagree with that view. I shall try to spend a little time with their views shortly. And we have already seen, they actively tried to silence a translator whose translation they disliked — evidently a sign of their not underestimating the damage a poor translation (from their point of view) can do. But it would be very far from the truth to present the talmudic Sages as unqualified opponents of translation. Again the Mishnah. It is describing the procedure of blessings and curses at Gerizim and Ebal; afterwards an altar to be built, and וכתבו עליו את כל דברי התורה בשבעים לשון, שנאמר באר היטב. Targum Jonathan and Targum Yerushalmi and Neofiti are prepared to endorse this. Whether there should have been a holiday or fast day when the Torah was translated into Greek, for the author of the Mishnah statement, it was certainly desirable to have the contents of the Torah translated and broadcast to the nations of the world in all the languages. What is באר היטב? To write out all the words of the Torah בשבעים לשון. When you want to make your work known, you translate (= translate and interpret) it into as many languages as you can. Even for domestic consumption you invent the role of the dragoman. Of course, you also lay down rules as to how he is to act his part: may he or may he not resort to a script, when may he speak up and when shut up? But apparently you need him and you use him.

Before proceeding with our principal discussion and examination of the attitudes of the talmudic Sages in some detail, there are three problems related to our subject which I am deliberately excluding because in my opinion they don't belong here.

First, the permissibility or prohibition of using a translation in public service. What must be recited in the original and what need not? Or what may or may not be the practice in the synagogues

of לעוזות? And so forth. These reveal of course the presence of the possibilities of translation, but they are halakic-institutional problems. When you have a community, and especially an extensively spread-out community, how much liberty in the use of languages can you afford to permit, or accept *faute de mieux*? The Roman Church is rediscovering today how complicated and dissolving this can be. I must say, I admire the Sages for liberating important expressions from their original cultic framework, I also admire them for their courage to allow the recitation of the Shema, the Tefillah, and the Grace after meals in any language. One of these days they'll visit Caesarea, and maybe then they will appreciate how sweet and risky are the uses of diversity. But that's their problem, not ours. It, therefore, is out of bounds for our reflections.

Another problem to be excluded is the relation of oral targums to written targums, or the apparent displeasure of any particular leading or run-of-the-mill sage with any particular targum text on the Temple-mount or anywhere else. Again, this may be partly halakic — what status should such written documents enjoy when there is a likely transgression of a biblical injunction — and partly an individual's taste for a specific style. Anyway, that's out, as is a third and inherently interesting problem; but it requires brief digression.

Most of the time when our sources speak of translation they have the Scriptures in mind. Not always, witness the grandson of Sirach who in the second century B.C. translated a book, his grandfather's, not yet or ever to be part of the canon — did he hope to create the feeling that possibly the book ought to be included, and therefore a Greek translation would suggest that like the canonical works, his grandfather's maxims also deserved publication and in more than the original version?

Or another example. A very good case has been made for the possibility that a little more than a century before Sirach's grandson produced his work, a Jew who admired an Aramaic work undertook to translate it into Hebrew, with what results, Professor H. L. Ginsberg has already demonstrated. It is not impossible that

the translator too thought that Solomon was the author of that cheerful treatise. No matter. While he was at work on his translation, it was still not part of the canon, though if it were already being attributed to Solomon, it would enjoy esteem in some circles. But it was then not yet catalogued in the library of כתבי הקדש. That is all I care to underline, my point being that the fingerprints of translation can be detected even on literary works that are not in the category of the sacred. Probably I'm belaboring the obvious. Be this as it may: It is understandable that translation of *sacred* scriptures might be undertaken, even though their custodians might be less than jubilant at the prospect of having to publicize, superficially at least, the esoteric messages in these writings: because if you want to circulate your truth among your neighbors and their neighbors, and among your own kindred whom you're determined to indoctrinate, how can you do it without translation and interpretation? But it is certainly interesting to recall that translation goes on even when writings are not sacred. And the problem which I wish to exclude from consideration is this, the relation of translation of the sacred to translation of the profane.

Hence we may revert to our principal discussion, which is, translation-as-such, the activity of translating and interpreting; and it's not with the ancients only that I'm concerned, although I shall refer to them and help myself to examples from some of their texts: my concern is with the activity itself.

And the first thing to be said about it is that (except in one respect) it is a thoroughly frustrating and unrewarding occupation: I recommend it to anyone eager to develop an inferiority complex. Here is Sirach's grandson apologizing, entreating his readers "to be indulgent, if in any part of what we have labored to interpret we may seem to fail in some of the phrases." That's the Greek for הנבי העני ממעש. He is obviously frightened that the savants in Alexandria will publish reviews in which they will point out that you cannot transfer the Hebrew to the Greek idiom. Hopeless, hopeless, for the simple fact is, the job can't be done: what's Greek is Greek and what's Hebrew is Hebrew, and if you try to say in one what is said in the other, you're misleading.

And the translators of the King James Version have this to say: "It hath pleased God in his Divine Providence, here and there to scatter words and sentences of that difficulty and doubtfulness ... that fearfulness would better beseem us than confidence..."

And here is A.J. Arberry: "... the rhetoric and rhythm of the Arabic of the Koran are so characteristic, so powerful, so highly emotive, that any version whatsoever is bound in the nature of things to be but a poor copy of the glittering splendour of the original. Never was it more true than in this instance that *traduttore traditore*."

שבכל דור ודור עומדים עלינו. It's the same with every measure and every period of time. "All translations are reputed females, delivered at second hand," writes John Florio in his Dedicatory Epistle of his translation of Montaigne; and in his preface to the "courteous reader" he proceeds to list one apology and excuse after another: "Shall I apologize translation? Why but some holde (as for their free-hold) that such conversion is the subversion of Universities." So he tries to explain that the citadels of learning will not come down if works in one language are made accessible in another. After a number of other possible protests, he comes to this one: "Why but who ever did well in it?" He takes care of that and still other criticisms. He confesses ("and let confession make halfe amends") that every language has its own "Genius and inseparable forme." He fears that he has made "of good French no good English." And of course he prays and entreats "you for your owne sake to correct as you reade; to amend as you list." In short, he knows he's in for it. You'll never get the footnote aficionados to approve because indeed they don't need the translation and they would rather not be annoyed by the static of a bad translation.

But this is not all. Even more resentful of the translation is none other than the author. He simply cannot be pleased, though he would like to be. He is both grateful and heartbroken, for he cannot help noting that his precious nuances have vanished alas.

In the introduction to his wonderful translation of Cervantes' *Don Quixote*, Samuel Putnam quotes Cervantes on *his* attitude toward translation: "But for all that, it appears to me that translat-

ing from one language into another, unless it be from one of those two queenly tongues, Greek and Latin, is like gazing at a Flemish tapestry with the wrong side out: even though the figures are visible, they are full of threads that obscure the view and are not bright and smooth as when seen from the other side." You'll never get the author happy (about the concrete translation, that is) because, naturally, he knows all the words he rejected before he decided on just that one, and the translator can't take his eyes off it.

And if you think you'll fare any better with the public, you're living, beg pardon, in a fool's paradise. Nobody with any intelligence, particularly one who is engaged in translation, would deny that you can't go on interminably with the antiquated. The translator above all is no pillar of obscurity or devout unintelligibility, even if he happens to have a taste for that which has aged. The fact remains that the public, like the scholar and author, is unfriendly to translation. What it wants is jazz and prose that puts no strain on the mind: pop digest: which have their place in society, but these are not translation. "You look terrific!" is not a translation of "Shall I compare thee to a summer's day? /Thou art more lovely and more temperate." From the way a man translates you can tell whether he loves his source or his public. Ignore the exact meaning of words, start resorting to paraphrase, and you still can transmit more or less accurately the substance of the source: but you're not translating. You're after *tachlis*, quick returns, but not exegesis or science or art. והחטידות האמתי הנרצה והנחמד רחוק מציור שכלנו. כי זה דבר פשוט, מילתא דלא רמיא עליה דאינש לאו אדעתיה. The following translation is not misleading: "We find it difficult properly to conceive true saintliness, since we cannot grasp that to which we give no thought." For all their bad grammar, I miss that הנרצה והנחמד. I miss כי זה דבר פשוט. And to me that translation says, Come on now, let's get this over with! "We find it difficult properly to conceive" is Report of the Dean's Committee; רחוק מציור שכלנו is style. I shall not quote Franz Rosenzweig — why, I don't know; or maybe I do. But I will quote from W. H. Auden, though you may think his problem is not ours. He writes (I'm not quoting in full):

"I don't know if it is any better with the Anglican Church in England, but the Episcopalian Church in America seems to have gone stark raving mad." He then gives several examples of a proposed reformed Holy Communion service, and the fourth is: "Worst of all, the Epistle and Gospel are read in some appalling 'modern' translation. In one such, the Greek word which St. Paul uses in Romans VIII and which the Authorized Version translates as *flesh* turns into *our lower nature*, a concept which is not Christian, but Manichean." Then Auden concludes: "And why? The poor Roman Catholics have had to start from scratch, and, as any of them with a feeling for language will admit, they have made a cacophonous horror of the Mass. We had the extraordinary good fortune in that our Book of Common Prayer was composed at exactly the right historical moment. The English language had already become more or less what it is today, so that the Prayer Book is no more difficult to follow than Shakespeare, but the ecclesiastics of the sixteenth century still possessed a feeling for the ritual and ceremonious which today we have almost entirely lost. Why should we spit on our luck?"

Nowhere is translation welcomed with open arms, and among the Jews (by whom I mean from hereon out the midrashic-talmudic rabbis and others), among the Jews it is no different. The attitude seems to be, With one hand keep at a distance and pull towards you with the other. To say that the Jews are afraid of it, is true; why shouldn't they be? How well they knew what havoc a translation can work! God be with you if you introduce a *parthenos* where it isn't too safe even for an *almah*. Centuries of polemics and worse-than-polemics may follow. Translation is certainly hazardous; but then what isn't? To say, or even to imply, however, that the Sages rejected translation is unwarranted when it isn't worse than that. Of Hillel's eighty disciples — thirty of whom could have done with the sun what Joshua did! — of these disciples, who was the greatest? Jonathan ben Uzziel! Wouldn't you know. And to recall what this signifies, all that is necessary to remember is that the least of that fellowship was Rabban Yohanan ben Zakkai. Hyperbole, obviously, and a lot more than translation is behind

and all over that statement. But if translator had meant traducer, גדול שבכולם or גדול שבהם could never have been Jonathan ben Uzziel; or better put it the other way around, had translator-interpreter meant traducer, Pseudo-Jonathan could never have acquired so fancy a name and reputation. The way some people avoid translation, you'd think birds were flying overhead.

But what of R. Judah's (or, R. Eliezer's) statement that המתרגם פסוק כצורתו (or, בצורתו) הרי זה בדי, והמוסיף הרי זה מגדף (or, מחרף ומגדף)? To begin with, the statement in the talmudic context is clearly being invoked for a halakic purpose, and that is not our problem, as we decided earlier. Second, the Sage is speaking of translation of sacred scriptures and that too, as we have detected, may bring on institutional shingles. However, we need not hesitate to consider the remark against the widest possible background. For what R. Judah or R. Eliezer is saying is absolutely true, and there isn't a translator in the business who would contradict him. At least the first half of that statement is verbatim what Walter Benjamin once said: "A translation that strove to be exactly similar to its original would not be a true translation." For this indeed is *the* fundamental challenge and frustration and hoped-for triumph beckoning the translator: When do you translate with strict literalness and when dare you not do so? When do you shrink or stretch the original and when dare you not do so? If I may use Onkelos as an example, in the same chapter, and in all reverence if you please: When do I content myself with three words exactly as in the original and say, לפורקנך סברית ה׳, and when do I seemingly go on and on, for example, "Israel shall go round his city, the people shall build his temple, the righteous ones shall surround him and study (or, carry out) the Torah in instruction with him, precious purple shall his garment be and his clothing wool, crimson-colored wool, yea, clothing splendid with color?" In the interior of that chapter the first, not the second, is astonishing.

Any way you translate you're sunk, whether you translate literally or expansively. But that's the assignment, to get it done properly (to the best of your ability); you're between the monster of lying and that female of blasphemy: go, navigate.

For there is no formula you can formulate in advance, except of course the resolution, I may never be dishonest — let's be perfectly clear about that. And even that supposedly noble end, literal translation, that is, reproduce faithfully what the original wishes to say, how fugitive it is! ימצאהו בארץ מדבר, ובתהו ילל ישמן and so on, says the verse in Deuteronomy. One interpretation has it, ד"א ימצאהו בארץ מדבר, הכול מצוי ומסופק להם במדבר, באר עולה להם, מן יורד להם, שליו מצוי להם, ענני כבוד מקיפות עליהם וכו' וכו'. In other words, ימצאהו is being interpreted as though it read ימציאהו. Homiletical exaggeration? I don't suppose that with some people the testimony of Onkelos, סופיק צורכיהון, will count for much; but here is the Septuagint translating αὐτάρκησεν αὐτόν. Somebody, evidently, thinks this is *peshat*.

Times change, styles of translation change, and this is as it should be if the voice of the classic is to be heard in our land. Changes there may be and will be; yet I believe three things are constant in all translations:

(1) The way translation begins. It is a purely personal, unsocial, private act. Of course it can take on public and institutional interests, and there may even be at the outset a commission from a monarch or a society or publisher to undertake the job. But that is not the beginning of translation. Translation begins the moment I discover that I'm not sure I understand the text I'm reading; the moment I begin to suspect that all I'm getting out of my reading or study is general impressions, a kind of smog of comprehension. Nothing is precise, everything is only vaguely familiar, darkly intelligible, or mechanically hand-me-down. But if I ask myself, Just what exactly is the text saying, and why is it saying it this way and not another, and cannot answer the question cleanly — no self-bluff or deception — then I know I have no alternative. I must clear the atmosphere. I must begin to translate. That will speedily disclose to me what I know and what I don't know: for what I *thought* I knew equals what I don't know. If the words *gemilut* — or even by chance *gemilot* — *ḥasadim* always meant acts of lovingkindness, who in his right mind would

ask, How could they be practised in Babylon where animal sacrifices were forbidden; or who would say in illustration of them that Daniel prayed three times a day? אין עזי אלא תוקפי, the Midrash enlightens me. Fine. What do I know now I did not know before? If again and again and again the reading crops up הוי שקוד ללמוד מה שתשיב לאפיקורוס, what does that mean, precisely?

Translation is for oneself, entirely, for me to gain correct understanding. That is all, and let no one tell you otherwise: especially that it is for the benefit of the world. A time may well come when the translator wishes to pass on his translation to the public. But that's no more than a biological reflex he shares with all who fill their bellies with learning or poetry or scientific theories or gossip: they can't keep it to themselves. The fear of one's own ignorance is the beginning of translation.

Shortly before the second World War there lived in London a gentleman (שמריה מנשה הכהן אדלר) who seems to have been a *lamdan*. That he knew a respectable amount of Talmud and rabbinics is clear, but it is also clear that he was a formidable *nudnik*. Had his mouth been just a little cleaner, he might have deserved A+ for his attacks on the Establishment, the chief rabbinate and boards of beth-din and so on. What a delight it is to see the way he writes out טשיף ראביי in Hebrew characters! Or to keep coming upon one of his favorite expressions, מסוה דקדושה מזויפת. Bravo. Now, when the Soncino translation of the Talmud began to appear, this valiant gent came out with an attack על גודל הפירצה כזו (הזו?) דבאמת פעולה כזו היא יסוד ושורש גדול לחורבן קיום האומה אחב״י and the בגדר ע״ז גמורה נינהו who are ב״ד דפה לונדון באמת.. כפי המוסכם בתורה שבע״פ ובכל הפוסקים בלי שום חולק. Into the battle he even dragged the Gaon of Dvinsk and of course the opinions of still other *geonim addirim shalita*, all to the single effect that it is absolutely forbidden to translate תורה שבעל פה into a foreign language. Would indeed that even the written Torah had remained only in the original: ומי יתן והיתה תורה אתנו בני ישראל אמון מוצנע כאשר מלפנים אפילו אחאב לא רצה לתתה למלך ארם, כי כל הצרות נמשכו אחר זה. He can't forgive rabbis and reverends who study

foreign languages. In Jephthah's generation how impatient he would have been for Samuel's coming!

There are, needless to say, many fine points to establish — for example, whom are you translating for, us or them: what's the translation for; will you use a Hebrew alphabet or another; and other subjects too come in by association, like who is qualified to be a *dayyan*, or why Resh Lakish seems to have changed his mind regarding supporting or not supporting דייני בור, or whether he ever was a brigand, and so forth. I am not the person to discuss the halakic finesse or applicability of our friend's view, and I know that I am unable to read his hysterical prose and insults without wanting to laugh. That's my prejudice. But one complaint of his is surely justified. He reports — and I find no reason to disbelieve him, though in the heat of righteousness he may be exaggerating — that from the speeches at the gala celebration מפורש עיקר כוונתם דעי"ז יתקרבו ויתדבקו בקשר של קיימא חיבה וריעות ישראל לב"נ ובזה ישראל נושע תשועת עולמים, אוי לאזנים שככה שומעות. I agree fully. The motive for genuine translation is not to prove to the next person how pretty my text is: though that may come later. As we saw, the impulse if anything comes from an almost completely opposite direction.

(2) The basic unit of translation. What is it? It cannot be the single word. That seldom has a life of its own. A word I can look up, but I cannot translate it. That's why interlinears are trots but not translations. I don't doubt that Aquila pleased several important scholars; maybe subconsciously they hoped that after one hour with such Greek, a man would cry out, Give me Hebrew or give me death; or maybe those were still the early days of computer translation. With a single word, it's a little like what the Midrash says, ועדין הדבר תלי בדלא תלי ואין אנו יודעים. A word acquires its specific gravity from the context it's in.

What then? Shall I take the sentence as a whole? That is generally too long. It may give me the overall sense, but it tends to devaluate the individuality of many terms it contains. Consider this:

וּכְנֵטֶף בַּיָּם כֵּן נִאבֵּדָה
עֲרִירִים בֵּין אַלְפֵי רַבָּה —
מָה רַב, הוֹי, מָה רַב הַשִּׁמָּמוֹן
בָּאָרֶץ הָרֵיקָה, הָרְחָבָה

Now an English version:

And like a drop of water in the sea
We'll sink, and none will reckoning demand.
Can loneliness more utter be
Than in this wide, this empty land?"

I get the idea, but I don't get the poem: instead of sipping, the translator gulps.

What then is the proper unit? Sometimes it is the phrase but most often and likely the clause. Here I see the word in its relation to its immediate neighbors and the unit is not too big for my embrace.

נשמת כל חי תברך את שמך, ה' אלהינו, ורוח כל בשר תפאר ותרומם זכרך מלכנו תמיד. מן העולם ועד העולם אתה אל, ומבלעדיך אין לנו מלך גואל ומושיע, פודה מציל ומפרנס ומרחם בכל עת צרה וצוקה.

The breath of all that lives shall bless Thy Name,
O Lord our God; the spirit of all flesh
Shall sing remembrance unto Thee, our King.
From everlasting unto everlasting
Thou wert and art the Lord; and but for Thee
We have no King, and no deliverer,
No savior, no redeemer, no provider,
No fount of mercy in an evil day.

This translator is reading בכונה.

(3) The right *English* word and syntax. It is alas overlooked again and again by well-meaning people that the test of translation is met or missed — despite learning and despite virtue — in the choice of the right word, the exact word, and the proper arrangements of the language one translates *into*, not the language one translates *from*. And beware of prepositions! They're merciless. Verbal equivalence by itself is not the way. A gift of flesh and blood

comes from a butcher shop. I cannot for the life of me believe that Joshua ben Perahya ever said, "And when thou judgest any man incline the balance in his favor," though he might have said, "tip the scale in his favor." "Incline the balance in his favor," forsooth. It's like the famous sermon once delivered (I'm told) in the Seminary synagogue on the text, "Israel is a nut." Or like that masterpiece-rendering of שנים מי יודע, which ran, "Who knows the meaning of number two?" Unfortunately, I do. The language translated *into* is the test we must pass. And it is only a slight exaggeration (if that!) to say that a knowledge of that is more important than a knowledge of the original. For this is the question the translator must ask of himself every syllable along the way: If Akiba or Yohanan ben Zakkai or Joshua ben Levi or whoever had spoken American English the way (let us say) E.B. White or Auden writes it, how would he have said what he wanted to say? Like a translation out of Jastrow? Like the trilingual posters in Meah Shearim admonishing women how to dress? Because he knows the English language superbly, though he does not know Swedish, Auden could translate Dag Hammarskjöld's *Markings* with the help of a Swede, Leif Sjöberg. The postscript to his Foreword is a lesson to us all.

These are the three constants, and with industry they are attainable, it seems to me, by any student who loves his text. But there is one element which is not to be had by industry alone. That is why it cannot be a constant. It comes from an eardrum מן השמים: if one is lucky to be born with it, how fortunate for him; if one is not lucky, he may still be a competent journeyman — but don't expect miracles.

I would like to illustrate what I mean by a negative example, so to speak. In his delightful volume, *In Praise of Yiddish*, Mr. Maurice Samuel tries to explain why it is impossible to translate into English the monologues of Sholom Aleichem's Tevye. "To clarify the nature of Tevye's gnomic mutilations," he writes, "we must imagine an American college graduate addressing an audience of his intellectual peers. We must further imagine that all of them once took a course in Latin, and have preserved in their memories

the familiar tags with which 'cultivated' essays were peppered a century or two ago. The speaker throws them in from time to time accompanying them with English paraphrases and explications which are sometimes utterly nonsensical, sometimes ingeniously tangential, sometimes both, and always with a vague suggestion of authenticity and relevance." Then come, what Samuel calls, some "imperfect examples":

> *Sic transit gloria mundi*, Here today and gone tomorrow.
> *Reductio ad absurdum*, A fool and his money are soon parted....
> *De mortuis nisi nil bonum*, Once you're dead it's for good.
> *Ars longa vita brevis*, That's the long and the short of it. ...
> *Delenda est Cartago*, Neither a borrower nor a lender be.
> *Carpe diem*, Shoot the works.
> *Non compos mentis*, Look who's talking. ...

And so on. Sweat and possibly tears too lie behind this, but they did not create it.

Now, that midrashic texts should prove attractive, even irresistible, to translators is no surprise. There is, after all, a natural affinity between translation which is interpretation (as we saw from the outset) and Midrash which is commentary. Please allow me to italicize something immediately, lest we be swept away by some gothic nonsense, sentimental or pietistic. Regardless of what the case may have been in antiquity, for the modern student translation and the received interpretations of the Midrashim will coincide only to their mutual annihilation, except on rare, and possibly accidental, occasions: despite rightly-to-be-treasured felicities like אין פסיחה אלא חייס. There is a profound distinction between modern translation and the ancient Midrash, and to ignore it is to vulgarize or neo-hasidize our thinking and speech. What is it, therefore, that modern translation and the inherited Midrash share? The ambition to recapture the reverberations of the original. אם הוא בן גרים לא יאמר לו, זכור מעשה אבותיך, שנאמר, וגר לא תונה ולא תלחצנו. If a translation of Exodus 22:20 does not capture something of the moral tremor, it's diminished the charity of that verse. Beautiful as it is, I cannot be persuaded that Abba Saul's interpretation of ואנוהו is what Moses and the children of

Israel had in mind at the Reed Sea. Contemporary fashion seems once again to prefer the suggestion of Yose son of the Damascene. In either event, both men are responding to the same wonder: What in the world are that peculiar verb and suffix doing here? Something of that wonder should survive. It may not distort, make either more or less of the original; but it must be within reach of the original. ואידך? If genuinely imaginative, the result is a sermon (no mean literary accomplishment!); otherwise, humbug.

But now our concern is not with midrashic interpretation of Scripture; it is with translating the Midrash, and that deserves, and requires, the same thoughtfulness as we bring to a biblical verse.

For the longest time I thought that the reason translators were drawn to Midrash — by which I mean specifically haggadic midrash — was because it was easier than halakah. Tackle a halakic subject, *sugya*, and you know at once that it demands your whole tensed intellect: try as a refresher the *sugya* of יין נסך. There is a hardness to this material that is of an altogether different order from even a difficult midrashic passage. In the latter it may be a term we do not understand, or the connection of the prooftext with the statement or comment proposed; or the comment seems plain silly at first; or the mangled state of the text drives you to despair. Halakic material, on the other hand, may be inherently so complex, so involved and casuistical, it's uphill work even when every term is intelligible and the text impeccable.

Only an idiot would deny this. Yet I dare to propose that as regards translation, it is often easier to translate a straight halakic discussion of the Talmud than many, many Midrashim. I'm not saying this to be provocative. I actually made the experiment once: curious to see the outcome. What you need to do is saturate yourself for about three months (if you can stand it) with Bacon's *Essays* till some of his lapidary constructions affect your own speech, and then let yourself go. (Please excuse me for the mixed metaphor which may be present here.) Be sure to paragraph as you would if you were reproducing dialogue in English composition. Punctuate as though your life depended on it: commas, periods, question marks, quotation marks. Don't be frightened that in the

end the discussion is still unintelligible. Remember, so is the original. Were it not for Rashi, who would know where the Tanna *is* standing, what this is all about. In other words, halakic discussion or text is far from being untranslatable. It's unreadable, not incomprehensible. What it requires is the very thing the original too cannot do without: a running commentary: and nothing less than that. In this field much not only remains to be done, much can be done.

Perhaps the following is as close to the truth as I can get: If translation and Midrash find that there is a real kinship between them, it is no more than what was always true, that they were both engaged in interpretation. But there may be one aspect of Midrash that especially attracts the modern translator, and that is: Haggadic Midrash is the one branch of talmudic literature which *approaches* the character of belles-lettres. Midrash is not belles-lettres: it does not care to reflect on the beautiful for its own sake; it does not tell its stories for the sake and delight of the story itself (this may be an exaggeration); its poetry is not for the pleasure to be had from the poem itself. But in the reflections and parables and homilies of the Midrash, in the very daring to fly far beyond the literal as it creates hortatory exegesis, in the initiative it takes to explain the biblical past with the help of the present — beloved are anachronisms! — and the present as a prolongation of the biblical past, in the determination to prove appealing to scholar and non-scholar alike (though there were occasions when the Sage directed his remarks specifically to a non-scholarly audience), in the way it enjoys quoting biblical verses, one after the next and the next — thus stirring in the mind sounds and memories that would otherwise vanish, the surrealistic way it catches sight of signs of the future in biblical figures of speech: in all these ways it leads the modern man toward the discourse which has come to mean so much to him, the discourse of the humane and beautiful, the discourse that tries to satisfy a desperate *human* need: the need for flight from surrounding ugliness, the need to escape from the crushing commonplace. Who can resist, אם עשית רצונו כרצונך, לא עשית רצונו כרצונו. ואם עשית רצונו שלא כרצונך, עשית רצונו כרצונו.

רצונך שלא תמות, מות עד שלא תמות. רצונך שתחיה, אל תחיה, עד שתחיה. מוטב לך למות מיתה בעולם הזה, שעל כרחך אתה מת, מלמות מיתה לעתיד לבא, שאם תרצה אי אתה מת? Or this, as commentary on כי אתה עשית משל למלך שנשא למטרונה; אמר לה, אל תשיחי? of Lamentations 1:21 עם חברותיך ואל תשאלי מהן ואל תשאילי להן. לימים כעס עליה המלך וטרדה חוץ לפלטין, וחזרה על כל שכנותיה ולא קבלו אותה; וחזרה לפלטין. אמר לה המלך, אקשית אפיך? אמרה המטרונה למלך, אדני, אלולי הייתי משאילה להן ושואלת מהן... לא הוון מקבלין לי? So Israel says to God, First you order me ולא תתחתן בם, בתך לא תתן לבנו ובתו לא תקח לבנך. You cut me off from the whole world fraternity, and now you decide to get rid of me? There is even a dear halakic irony embedded in this!

There are numerous, numerous other examples (as who should know better than an audience of the Academy?), some so incisive in honesty and unostentatiousness of diction, so graceful in their movements away, away from the strictly literal, and in total yet dignified submission to what God may decree, only the eloquence of prayer can equal it.

מי כמכה באלים ה׳
מי כמכה באילמים ה׳
מי כמוך
רואה בעלבון בניך ושותק

To respond to it is to want to understand as completely as possible: word for word and then the whole of it as a unity. Here translation begins, and lingers.

OBSERVATIONS ON PROBLEMS AND METHODS IN BIBLICAL RESEARCH

WRITING A COMMENTARY ON JOB

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I

The twentieth century can scarcely be described as a "Golden Age" in humanistic studies. The intellectual landscape has clearly been dominated by the natural sciences that attract the lion's share of financial support, manpower and influence in modern society. Considerably behind them come the social sciences, though they are beginning to win a larger measure of attention because of the growing disenchantment with scientism and technology and the problems they have spawned. Far behind are the humanistic disciplines, which include the complex of studies subsumed under the rubric of biblical research. Even within this last category, a hierarchy of importance and influence exists. Archaeology and comparative studies occupy the most prominent position, while exegesis and philology are on the lowest rung of the ladder.

Undoubtedly, there are many reasons for this decline of interest in humanistic studies in general and in biblical studies in particular. The extraordinary achievements of modern science and technology are apparent at every hand, and have, therefore, elicited the interest and dedication of most of the first-rate minds in the western world, leaving relatively few to carry on humanistic and linguistic studies.

This is, however, not the entire story. It is noteworthy that biblical scholarship was significant and important during those periods in which it was closely related to the general issues confronting society. Within the Jewish community, biblical studies experienced an efflorescence during the heyday of the Karaite challenge to rabbinic Judaism and its aftermath. The momentum of that struggle produced rich fruits in grammar and exegesis, as well

as in philosophy and poetry. In the Christian world, the rise of Protestantism and the threat it posed to the Catholic Church led to a rebirth of interest in the Hebrew Scriptures, a movement in which Jews like Elijah Levita and Jacob bar Hayyim ibn Adonijah played significant roles. In the nineteenth century, the wide acceptance of Darwinism and the rise of positivism challenged accepted religious ideas and made imperative a reinterpretation of religious tradition, including a re-examination of its fountainhead, the Bible. Hence, the "higher criticism," as well as the "lower," became vital areas of research, because they were deemed, to coin a new term, relevant to modern man.

Today a new opportunity beckons biblical scholarship. In the world at large, increasing numbers of our contemporaries are seeking to discover what is viable in religious tradition and in the great repository of faith and aspiration — the Bible. In the State of Israel, the Bible is the passport to Jewish identity, energetically studied on every level. Unfortunately, its value for Jews in the Diaspora has, thus far, scarcely been utilized, because of the widespread notion among Jews that somehow the "authentically Jewish" is not to be sought in the Hebrew Bible. This idea has its parallel among Christians in the belief that the "Old Testament" is not really part of Jewish studies at all, nor even essential to Christian faith. The entire question of the place of biblical studies within the framework of contemporary religion and scholarship is of great importance, and I hope to treat it in detail at another occasion.

Even aside from its conscious aloofness from contemporary concerns, biblical scholarship is not prepared for the challenge and the opportunity before it. Suffering from an inferiority complex in the face of the natural sciences, biblical scholars, like other practitioners of the humanities, have all too often withdrawn into more and more obstruse and technical pursuits, most of their work being essentially written by professors for professors. Moreover, in an effort to ape the method of the natural sciences, the fundamental differences in the subject matter and, consequently, in methodology are frequently ignored, as we have pointed out

elsewhere.[1] The complexities of human nature and the varieties of human experience, which are the basic data of humanistic studies, are disregarded in favor of mechanical approaches, such as the search for "parallels," statistical tables and, now, computerization. In imitation of the assumed "certainty" of the natural sciences — itself an illusion. An arbitrary dogmatism is often encountered in biblical scholarship that ignores alternative views and pretends to be able to "demonstrate" hypotheses and conclusions where one can legitimately expect only varying degrees of plausibility.

The late Professor Max L. Margolis once repeated to me the words of his colleague and friend, Professor James A. Montgomery of the Department of Semitics of the University of Pennsylvania: "The trouble with the Jewish students who come to us is that they don't know any Greek. The trouble with the Christian students is that they don't know any Hebrew — either." In the forty years years that have elapsed since this wry comment was made, the situation has scarcely improved—quite the contrary. It is noteworthy that the *Oxford Lexicon* of Brown-Driver-Briggs, originally issued in 1907, is arranged under the Hebrew roots, so that all derivatives of a given root are placed together for the students use. The new *Kohler-Baumgartner Lexicon*, first published in 1951, is arranged on a strict alphabetical basis, so that nouns with the prefixed *Mem*, for example, are to be found not under their roots but under the prefix. The scattering of the various derivatives of a given root is obviously a disadvantage for the scholar. The motive that led to this change can easily be guessed — contemporary students can no longer be relied upon to be able to find the original root!

II

Perhaps the greatest advance in twentieth century biblical scholarship has been the triumph of the comparative method, the utilization of extra-biblical sources from the ancient Near East, Semitic, Hamitic and even further afield. This comparative method

[1] Cf. "On Methodology in Biblical Exegesis" in *JQR*, LXI (1970), 93–118.

has two elements. One I have called the "horizontal aspect," reaching out in space from the biblical heartland to the surrounding peoples, cultures and religions of the Middle East, in order to illumine biblical life and thought. The second is the "vertical aspect," reaching out in time to utilize all the resources of post-biblical literature and language, apocryphal, mishnaic, talmudic, medieval and modern, thus enhancing our understanding of the vocabulary, syntax, style and content of biblical literature and, in turn, being illumined by it.[2]

As is true of most manifestations of the modern spirit, the comparative method was not born yesterday — it actually goes back a full millennium. Judah ibn Koreish, who flourished in the tenth century, may be described as the father of the "horizontal aspect" of the comparative method, since he is the first known scholar to invoke Aramaic and Arabic for interpreting Hebrew words in his *Risalah*. His contemporary, Saadia ben Joseph (882–942) in his *Alsabʿina lafṣa* ("Seventy Words"), launched the "vertical aspect" of the comparative method by laying post-biblical Hebrew under contribution for the same purpose.

The value of both aspects is, of course, incontestable. But it should be pointed out that the vertical method has one great advantage over the horizontal. In the case of parallels from other cultures, the problem still remains of establishing the channels of communication and transmission from these Culture-spheres to the Hebrew nation. For instance, how did a fifteenth century North Canaanite literary usage reach a third century Wisdom writer in Jerusalem, as is alleged in some quarters? At the very least, the "horizontal aspect" raises the basic and perennial question of direct borrowing as against parallel development. Though all too often ignored, this is an essential step in the process of validating a theory of "borrowing." This is not to deny the tremendous contributions of the "horizontal" comparative method but only to indicate what it entails.

[2] This analysis was first presented by us in *Louis Ginzberg Jubilee Volume* (New York, 1945), English Section, 173 ff.

In the case of post-biblical Hebrew, it is, of course, important to make sure that the later usage is not a reminiscence of a biblical passage. When this is, however, established, there is no problem with regard to the relationship and the avenues of communication, since we are invoking successive stages in the organic life of the same people maintaining its culture, tradition and language.

It is, therefore, all the more paradoxical that the horizontal method, which is concerned with bringing in parallels from other cultures, is far more widely practiced today than the vertical. Indeed, comparative material is so much in vogue that it is permitted to take precedence, not only over post-biblical material, but even over intrinsic biblical evidence at hand when it points in another direction. Often the text is emended to conform to the extra-Hebrew parallel, even when the Hebrew usage supports the Masoretic text.[3]

While this practice may be illustrated in virtually every book of the Bible, we shall cite only two instances in Job where the biblical evidence and Hebrew usage are ignored in favor of more distant considerations. The First Speech of The Lord out of the Whirlwind (38:1–40:2) advances the argument that the majesty of God's creation includes many creatures that are not intended for man's use and are not subject to man's control. Living far from human habitation, they are cared for by God. The implication is clear — the universe was not created with man at its center and, therefore, he cannot grasp its full meaning or rightly judge its Creator. In the Second Speech of The Lord, the argument is sharpened further. While the creatures mentioned in the First Speech, the lion, the raven, the mountain goat, the wild horse, the buffalo, and the others, are not under man's domination, their beauty is manifest even to him. In the Second Speech (40:6–41:26), God introduces two animals, *Behemot*, the hippopotamus, and *Leviathan*, the crocodile, that are not merely unbeautiful, but positively repulsive

[3] This questionable methodology is particularly common with regard to alleged Ugaritic parallels, including many instances where the Ugaritic texts are themselves unclear. It is, however, not limited to Ugaritic.

and even potentially dangerous to man. Yet even they are manifestations of the creative power of God, who finds joy in His handiwork.

In the middle of the description of the crocodile (40:25–41:26), a passage occurs (41:1-4), which some modern commentators have radically emended on the theory that the subject is not the natural animal described in the entire section, but the primordial beast familiar from Near Eastern mythology. One modern commentator finds here a reference to the primal beast attacking God. He emends 41:1b אֶל־מַרְאָיו יֻטָּל to read הָגַם אֶל מָרָאיו יֻטָּל, He interprets הָגַם as a verb "attack" on the basis of the Arabic *hajama*, and revocalizes מַרְאָיו as מָרָאיו, which he renders on the basis of the Aramaic מָרֵא as "his master." He then renders the stich: "When he attacked his master, he was thrown down."[4] Another commentator[5] is equally certain that "the text has suffered some sabotage intended to obscure gross pagan mythological allusions," and that "the Masoretes would balk at vocalizing the text to preserve an allusion to a crude pagan myth," in which the gods make obeisance to Leviathan. He therefore emends 41:1b to הֲגַם אֵלִים מַרְאָיו יִטָּלוּ (*sic*) and renders, "Were not the gods cast down at the sight of him?"[6]

The approach represented by these scholars suffers from four major defects:

1. It introduces a putative mythological reference which is largely reconstructed from partial or unclear data in Ugaritic and Mesopotamian sources.

2. The alleged mythological passage interrupts the clear-cut description of the crocodile which both precedes and follows it.

3. The theories require drastic emendations of the text. The first theory entails the creation of *hapax legomena* of foreign provenance. The second assumes that the "sensitivity" of the

[4] Cf. N. H. Tur-Sinai, *The Book of Job* (Jerusalem, 1953), 566 f.

[5] Cf. M. H. Pope, *Job* (Anchor Bible, New York, 1965), 280, 282.

[6] Pope declares, "We change only *'el* to *'ēlīm* and read the verb as plural" (*op. cit.*, 202). However, it would be better, from Pope's standpoint, to assume in addition a haplography of *'el* and read: הגם אלים אל מראיו יטלו.

Masoretes would lead them to consciously modify the received text, a theory that violates the basic role of the Masoretes, which was the preservation and not the "improvement" of the sacred text.

4. Finally, and most significantly, the second theory has overlooked the perfectly clear reference in our present Masoretic text to the gods being terrified by Leviathan in 41:17, מִשֶּׁתּוֹ יָגוּרוּ אֵלִים מִשְׁבָּרִים יִתְחַטָּאוּ, which is to be rendered: "Before his might the gods are afraid and the breakers make supplication to him."[7]

Actually, the entire passage 41:1–3 requires only a few minor changes in suffixes and prefixes involving vowel letters: לְפָנַי to לְפָנָיו (v.2) הִקְדִּימַנִי to הִקְדִּימוֹ, וַאֲשַׁלֵּם to וַיִּשַׁלֵּם (v.3) and לַי to לֹא (v. 4). There emerges a thoroughly appropriate and meaningful text, which is to be translated:

Indeed, he who attacks him (i.e. Leviathan) loses all hope,
indeed at the mere sight of him he is laid low.[8]
No one is foolhardy enough to stir him up,
for who can stand up to him in battle?
Who has confronted him and emerged unscathed?
Under all the heavens — no one!

In a detailed study of the phrase מֵרָחוֹק יָרִיחַ מִלְחָמָה (Job 39:25),[9] a well known scholar maintains (1) that the noun רֵיחַ "everywhere" is used literally in the meaning "smell, give out

[7] The only change called for is the revocalization of מִשְׁבָּרִים as מְשַׁבְּרִים, supplying a subject for the verb and entirely appropriate to the context. On the meaning of the verb, see our forthcoming Comm. *ad loc.*

[8] The interrogative *He* in הגם represents a rhetorical question without the use of the negative, which is usual when an affirmative answer is anticipated. For this biblical usage, cf. e.g. הנגלה נגליתי (I Sam. 2:27); הבן יקיר לי (Jer. 31:19); הזאת ידעת (Job 20:4), etc. For the evidence of this usage and an explanation of the psychological mechanism involved, which is the key to Am. 6:2d,e and other passages, cf. our paper, "A Rhetorical Use of Interrogative Sentences in Biblical Hebrew," *AJSL*, XLIX (1933), 212–17). גם is the emphatic "indeed," cf. Job 2:10 and see our Comm. *ad loc.* Stich b is, therefore, to be rendered literally, "Is he (not=indeed) cast down at the sight of him?"

[9] P.A.H. de Boer, in his paper, מרחוק יריח מלחמה Job 39:25" in *Words and Meanings, Essays Presented to Winton David Thomas* (Cambridge 1968), 29–38.

odor" and cannot be used metaphorically (citing Can. 1:3, 12 and *passim*; Hos. 14:7; Jer 48:11, etc.), and (2) that the *Hiphil* of the verb is always intransitive. He, therefore, interprets the magnificent Job verse prosaically to mean that "the horse gives forth the scent of war, gives out a penetrating smell." On the first point, he seems to be unaware of such rabbinic usages as ריח הגט (B. Git. 86a a.e.), ריח פסול (B. Git. IX, 50b). etc. On the second, he disregards the clearly transitive use of the *Hiphil* of the verb in Ex. 30:38; Lev. 26:31; Amos 5:21.[10] Here both biblical and post-biblical evidence has been overlooked, with consequent loss for the interpretation of the text.

It may be added that in stich רַעַם שָׂרִים וּתְרוּעָה, the difficulties scholars have encountered with רַעַם disappear when it is construed as the noun רֵעַ "shouting, noise" with the enclitic *Mem*, familiar in Akkadian and Ugaritic and frequent in Biblical Hebrew. Because of his keen hearing and his love of battle, the horse is able to sense the battle from afar and hear the officers and the trumpet urging the soldiers into the fray. The verse is to be rendered:

> "From afar, he smells the battle, The shouting of the captains and the trumpet blast."

III

Among the pitfalls threatening the biblical scholar are several other methodologically dubious procedures. As a result of the triumph of the comparative method, the single most popular technique is the search for parallels, real or alleged, whether or not they are relevant or significant. This is compounded by the failure to recognize the unique character of some writers like Koheleth and Job. It is the very essence of Koheleth's style that he uses the traditional vocabulary, the only one available to him, for

[10] The difficult clause והריחו ברוח ה׳ (Isa. 11:3) is another instance of the metaphorical use of the verb. The first word is not to be taken as a noun, hence "his delight is in the spirit of the Lord" (so most), but as the Hiphil perfect, with suffix, used causatively, "Lit., he will cause him to inhale, breathe, absorb the spirit of the Lord" (the subject being either impersonal or "The Lord"), cf. the perfects with Vav consecutive ויצא (v. 1) and ונחה (v. 2).

unconventional, personal purposes. Hence the adducing of parallels may obscure rather than illumine the meaning of the original.

Another frequent hazard may be called the "pendulum syndrome," the tendency in biblical scholarship to swing from one extreme position to the other, with the result that the errors of the first are "corrected" by contracting a new set, opposite and equal. Until very recently, the Hebrew Prophets were pictured in modern critical scholarship as ethical teachers totally opposed to ritual in all its forms. This assumption necessitated deleting or distorting many passages, but this price was willingly paid. The discovery of material on non-Hebrew prophecy, notably in Mari, with abundant evidence of various categories of prophets associated with temples such as the *apilu*, "Answerers," the *assinnu* and the *muhhū*.[11] took place during this period. As a result, a total reaction has set in during the past few decades. The Hebrew Prophets are increasingly being described as cultic functionaries attached to the various sanctuaries in Israel and their oracles are interpreted as litanies accompanying sacrifices and other ritual acts.[12]

The evidence would point to a conclusion less sensational than either extreme. The Prophets represent a broad spectrum in their attitude toward temple, sacrifice and cult. In the extant Book of Amos, which can only be a fraction of his life's work, no positive attitude toward ritual is expressed. Jeremiah, after his initial advocacy of "The Book of the Covenant" (chap. 11), has little enthusiasm for the Temple in Jerusalem, perhaps in part because he was a country priest. Isaiah receives his inaugural vision while in the Temple and can be said to occupy a center position. Ezekiel's concept of the good life explicitly includes ritual elements along with ethical conduct (18:5 ff. and *passim*), so that he proposes a detailed ritual Torah for his ideal commonwealth, with the Temple

11 Cf. Claus Westermann, "Die Mari-Briefe und die Prophetie in Israel" in *Forschung am A. T.* (Munich, 1964); *idem*, *Basic Forms of Prophetic Speech* (1967); F. Ellermeier, *Prophetie in Mari und Israel* (Herzberg, 1960); H. B. Huffman, "Prophecy in the Mari Letters," *BA*, XXXVI (1968).

12 Cf. A. R. Johnson, *The Cultic Prophet in Ancient Israel* (Cardi ff, Wales); Ivan Engnell, *A Critical Scrutiny* (Nashville, Tenn 1969), 125 ff.

at its center (chap. 40-44). What the Prophets shared in common was the burning conviction that ritual could not be substituted for righteousness — the value of the former was determined by the degree to which it enhanced the latter. They were neither ethical culturists nor ritual cultists; they were prophets of God.

To cite another instance, the great classical prophets have generally been pictured as universalists, unconcerned with their own people because of their involvement with the Divine. Thus Eissfeldt declares of Amos: "Bei ihm ist Gott alles, Israel nichts" ("For him God is everything; Israel, nothing."); a perfectly possible stance for a German theologian, but a rank impossibility for a Hebrew Prophet. Psychologically, it is inconceivable that a prophet who exposed himself to contumely and peril in order to warn his people against disaster would be unconcerned with their destiny. Theologically, the total destruction of Israel, the only bearer of God's name in a pagan world, would necessarily mean the end of God's cause among men.

Closely related to this approach to the Hebrew prophets as simon-pure universalists is the corollary assumption that the pre-exilic prophets proclaimed unconditional doom for Israel, so that all passages of consolation in their books are *ipso facto* later interpolations. The psychological and theological impossiblities adduced above are here compounded by several other insuperable difficulties. Why should the prophets court hostility, danger and death in a cause that had not the slightest chance of succeeding? Since the prophets were not loath to challenge their God, why did they not refuse his call on the ground that it had no purpose or justification, if the doom was unavoidable? Moreover, what of the character of a God pronouncing unconditional doom on his creatures as against Hosea's insight into the power of reconciliation and forgiveness, which life illustrates at every turn? Nor is the theme of love and mercy lacking is any of the great prophets, including Amos, the stereotype to the contrary notwithstanding.

Finally, the textual evidence contradicts the gratuitous assumption. The unconditional doom idea is refuted by passages like Isaiah 1:19 and 20, which express the alternatives open to the people:

If you willing and obedient,
you shall eat the good of the land;
But if you refuse and rebel,
you shall be devoured by the sword;
for the mouth of the Lord has spoken.

Deuteronomy pleads with the people to choose life and not death, the blessing and not the curse (12:26 ff.; 30:13 f.). Even the call to Jeremiah, the most tragic figure among the prophets, who was fated to witness the destruction of Temple, city and state, contains six verbs — four are terms of destruction, but two sound a note of hope (1:10), and they are repeated after the blow descends (31:27).

It has always been clear that there is no real basis for the dominant critical view that saw the Hebrew prophets as universalists with a vengeance, announcing inescapable doom and ready to see Israel totally destroyed "for the sake of God." But the "correction" has again taken the form of the "pendulum syndrome." It is now being argued in some quarters that the prophets were completely particularists, entirely unconcerned with the well-being and destiny of nations, and that the Bible envisaged no role for Israel in the context of world history. To achieve this new monochrome reconstruction, a different and equally massive body of evidence from the biblical text must be expunged or explained away, notably in Amos, Isaiah, Deutero-Isaiah, Ruth and Jonah. This aside from subtler indications elsewhere that biblical faith saw Israel as "a kingdom of priests and a holy nation," and by definition a priesthood presupposes a people to whom it ministers.

The truth lies with neither oscillation of the pendulum. The prophets were neither exclusivists nor cosmopolitans; they were genuine *internationalists*. It is clear that their loyalty to their people and their concern for humanity were in creative and fruitful tension with one another.[13] This is the only legitimate conclusion

[13] A hitherto unrecognized source for Edomite history is Amos, chaps. 1 and 2. It offers proof of the prophetic concern with the moral conduct of nations vis-à-vis one another, in which Israel is not concerned, all the more striking, because it is indirect. A study on this subject is in preparation.

to be derived from biblical literature. That this approach is richly significant for the human condition today is surely no reason for denying its existence.

The "pendulum syndrome" operates also in the field of textual criticism. With the rise of modern scholarship, a hypercritical attitude was adopted toward the Masoretic Text, so that wholesale emendations were often proposed. In general scholars felt, as Samuel Johnson said in his *Notes on Shakespeare*, that "the allurements of emendation are scarcely resistible." Now the pendulum has swung to the other extreme and emendations are all too often ruled out of court under any and all circumstances. Now much of my own scholarly work has sought to demonstrate that the Masoretic Text was transmitted with exemplary fidelity through the ages, once a *textus receptus* was officially adopted.[14] It is also true that our knowledge of ancient Hebrew is only partial and that new light may dispel old obscurities. At the same time, one must be willfully blind in failing to recognize the existence of such phenomena as scribal errors in the text, involving the loss of letters, words and even verses, as well as the misplacement of passages during the process of transmission. Deutographs like II Sam. 22 and Psalm 18, or Psalms 14 and 53, demonstrate the reality of scribal errors, including some radically different readings. The Third Cycle in Job (chaps. 22–31), in the imperfect form in which it has reached us, is equally conclusive with regard to the loss of material and the accidental transposition of sections from their proper place. Yet commentaries and other studies continue to appear which blithely ignore such palpable evidences. It cannot be too strongly emphasized that faith in the perfection of God's Word is not identical with faith in the infallibility of copyists.

The "pendulum syndrome" is, of course, characteristic of human nature and thus helps to prove that scholars are human. The

[14] Cf. *The Biblical Text in the Making — A Study of the Kethib-Qere* (Philadelphia, 1937; augmented edition, New York, 1970), and *idem*, "The Origins of the Masoretic Text in the Light of Rabbinic Literature and the Qumran Scrolls" in *Tarbiz* XXVII (Tammuz/5718), 144–69, updated in the English version that appears in the above book as Prolegomenon (pp. XI–LVI).

optimistic outlook of faith in the future that characterized nineteenth and early twentieth-century man and his uncritical concept of all-but-automatic progress, has produced, not a balanced attitude toward man's potential for good, but an equally extreme tendency to deny man's capacities and to glorify the past, whether it be real or imaginary.

The shift from "the left" to "the right" is reflected increasingly in contemporary biblical scholarship. A recent meritorious commentary on Job sets forth this principle:

> "The commentary will take into account and be based upon the results of modern scientific research in the areas of exegesis, philology, history, geography, archaeology, etc. *to the degree that the conclusions of these researches do not contradict the tradition* (or Masorah)." (Italics ours.)[14a]

But how is one to know whether the evidence contradicts the tradition until one has examined it, and after it has been examined, if it should seem to "contradict the tradition," how can it be ignored? Is not loyalty to the truth also an imperative of the tradition? It is also significant that only the classical Jewish commentators are cited by name in this Commentary, while all others, even when their ideas are appropriated, remain anonymous.

Scholars demonstrate that they are human in another way as well. The Bible is an ancient book that has been studied with extraordinary zeal and devotion for centuries by many very gifted minds. A modern biblical scholar quickly finds that he is not dealing with a *tabula rasa* or new material. When he begins his work, he finds that his predecessors have discovered a great deal about the Bible that is true and, by that token, is no longer new. He may, therefore, be tempted to propose sensational theories that will attract attention and generate temporary excitement. Ideas may be new, but often many of them are obviously not true; they rise and fall like the tides.

[14a] Cf. Amos Haham, *Sepher Iyyob*, part of a series of commentaries projected in Israel. The passage quoted is translated from the jacket of the volume.

IV

Fundamentally, humanistic scholarship is suffering from a strong "inferiority complex," vis-à-vis the natural sciences. It often strives to develop a mechanical," objective" approach in order to merit the term "scientific." *It needs to be recognized that exegesis is not a science, but an art, resting upon a complex of scientific disciplines.* An illuminating analogy is afforded by the practice of medicine. Though it is often described as a science, medicine is actually an art, utilizing many sciences, such as anatomy, pathology, pharmacology and psychology, but requiring such intangible qualities in the practitioner as intuition, experience and insight into the constitution of the patient. Similarly, the interpretation of a text requires not only a background of knowledge of morphology, syntax, linguistics, history, comparative religion, literature, and many more disciplines, but also insight, creative imagination, and empathy with the material. This explains why two scholars of comparable competence will produce expositions varying widely in quality and pertinence. This inescapable, indeed essential, subjectivity underlying all exegesis is the reason why literature, particularly the literature of religion, needs to be interpreted anew in every age in the light of new knowledge and new perspectives and from the vantage-point of new insights and concerns.

The distinguished Palestinian archaeologist, Paul W. Lapp, after a meticulous analysis of the problems involved and the techniques available in the writing of history, sets forth conclusions that are strikingly parallel with our own observations on the nature of exegesis:

> "It seems to me that the ultimate source of history is the will of the historian to assert his particular faith in humanity and the will of people to accept the assertion. To be sure, he must have sources, he must employ considerable time and thought in order to understand and evaluate them, he must tax his reason to produce a convincing framework to present his views; in the end, he sets down statements based upon his own convictions about man and his world. In the end, he wills to be

> human, to present his own conception of humanity. If his conception convinces many, he is honored as a historian." (*Biblical Archaeology and History*, [New York, 1969], p. 33 f.)

What is true of history is at least equally true of literature. The interpretation both of events and of words is essentially a work of art, a construct of the creative imagination and the expression of a particular world-view. To be sure, the synthesis or the interpretation must conform to the objective data available. But the choice among various competing approaches, all of which may meet this test of external evidence, will depend on the degree to which each interpretation reveals a congruence of structure among the various elements of the work and the extent to which it succeeds in conveying a sense of its significance to the reader. In the deepest sense, the test of exegesis is esthetic.

These are some of the basic problems of method confronting the scholar and the exegete in the biblical field today that need to be kept in mind.

V

In the writing of a commentary on *Job*, three distinct methods were available, each with problems of its own:

(1) The commentator presents his view of each passage, without any discussion of alternative views or the citation of other scholars. This method has the virtue of brevity. Thus, Hoelscher performed the feat of writing a commentary on Job in 99 pages, which include an introduction and bibliography of 9 pages. To be sure, Hoelscher's principal interest lay in the *Realien* and in comparative material, rather than in elucidating the textual and exegetical problems of the book itself, or the basic theme with which it is concerned.

Unfortunately, this approach had several drawbacks. Perhaps the lesser defect is that it is unfair to scholars who have toiled long and laboriously and whose only precarious immortality lies in not being ignored or, what is perhaps worse, having the fruits of their researches appropriated by others without reference to

their source. The major defect is that the method is a disservice to students and readers, since it places them at the mercy of the commentator, giving them no opportunity to judge the evidence, no selectivity among varying views, and no chance to arrive at new insights. In this method, the vital spark has gone out in biblical studies; the reader's task is simply to be a vessel receiving the author's ideas. This is especially disastrous in Job, where the difficulties are massive and manifold and where so many questions remain open, or, at least, subject to varying evaluations.

(2) The commentator may write *Notes on the Text of Job*, as was done by Beer, Stevenson and Guillaume and, of course, with great brilliance, by Ehrlich. Here the author discusses only those passages where he feels he has something new to contribute. This is, of course, a far easier procedure than composing a full commentary. It avoids a good deal of drudgery, escapes the frustration of dealing with intractable texts and makes for a shorter work.

But there are several disadvantages here too. Perhaps minor is the problem of deciding when a proposed interpretation is really "original," a question which can be answered only by a survey of the entire extent of exegetical literature. Also, it must be determined whether a new restatement of earlier ideas or a new approach to older views may fairly be described as original. Moreover, studies of this kind tend to limit themselves to individual verses, ignoring large issues of structure and the meaning of the book as a whole. Thus we are left with no idea of how Ehrlich conceived of the problems of the integrity of the Book of the Job and the authenticity of its various sections. So, too, his view of the basic meaning of the book as a whole remains unknown. The principal defect of this method is that the product is ancillary and not a fully independent work, thereby limiting its use only as an adjunct to other more comprehensive commentaries, since it deals only with isolated passages.

(3) By all odds, the most difficult and complicated procedure, and the one we have adopted, is the preparation of a full-dress original commentary on the book, which involves three stages. The first entails the following steps:

(a) A first-hand, independent study of the vocabulary and the syntax of the text.

(b) The utilization of Hebrew variants and readings in the Ancient Versions as a clue to possible variations in the original text.

(c) The investigation of the larger issues of structure and meaning which is raised by a work as complex as Job.

(d) The formulation of tentative conclusions on these various problems, major and minor, with a clear recognition of the differences in the degree of plausibility inherent in these conclusions.

It is only at this point that we proceeded to the second stage:

(e) The reading of the major medieval and modern commentaries and studies on Job for the purpose of deriving additional insights and better interpretations, simultaneously testing one's own tentative conclusions against them. These writers should be cited by name whenever their views are of sufficient merit to deserve discussion and analysis, and when their ideas commend themselves as correct, they deserve to be quoted. This is true even if the author has arrived at these conclusions independently, so that these earlier scholars seem to be guilty of "plagiarism by anticipation."

In this connection, it should be indicated that the medieval Jewish commentators, who possessed a superb insight into the biblical text, though they lacked the advantages of the comparative material available to us and the improved methodology of the modern period, are all too often ignored, with great loss to biblical scholarship.

(f) Finally, formulating the conclusions arrived at by one's independent research, enriched and corrected by the exegetical resources created by other scholars.

At this point the third stage, the actual writing of the commentary, can begin. Obviously, the significant textual and exegetical material should be presented as succintly as possible. However, I have felt it important to preserve a sense of excitement by making the interpretation of the text a voyage of exploration shared in by the author and the readers, rather than a cut-and-dried summary statement of the author's views. This psychological advantage

aside, the presentation of a variety of views, and an analysis of their strengths and weaknesses, enables the reader to draw his own conclusions, even if they differ from those of the author, and to develop his own critical faculties.

With regard to the structure of the Commentary, the work falls into three principal sections. The bulk of the volume is occupied by the verse-by-verse commentary. In spite of the august example of Driver-Gray in the *International Critical Commentary* and the obvious advantages of the method, I decided not to separate the substantive discussion from the textual and philological material. The reason inheres in an insightful statement by Buber: "As if a true message, a true saying, a true song, contained a What that could be separated from its How without damage, as if the spirit of a speech were to be sought out anywhere other than in its linguistic form."[15] Any significant discussion of the meaning must rest upon the form, and conversely the appreciation of form is dependent upon the meaning of the whole and its parts.

What has resulted is a rather large and detailed commentary. The effort has been made to set forth each problem inductively, whether it be specific or general, and thus involve the reader in the exhilarating quest for understanding.

In addition to the verse-by-verse interpretation, there are larger issues concerned with form and content, such as the principles of biblical prosody with special pertinence to Job, and special stylistic traits of the author, many of which were not previously recognized. Fundamental to the comprehension and understanding of the book are such questions as to the integrity of the various sections, their meaning and mutual relationship, as well as the thrust and intent of special passages in the text, such as 8:11–21;14:15–17, and chap. 24. Themes like these are treated in 46 Special Notes, varying in length, placed at the end of the volume.

The third feature of the Commentary, though it will be printed first in the book, is the Translation. Ultimately, the goal of all research must be the enrichment of the life and thought of man-

[15] M. Buber, *Die Schrift und ihr Verdeutschung*, 137–8.

kind. Hence, the results of scholarship must somehow find their way into the mainstream of human culture or the scholarly enterprise becomes self-stultifying and is ultimately meaningless. A translation represents the distillation of a commentary and of the conclusions achieved in the discussion. Our work, therefore, includes as an integral part a translation of Job into modern English, with introductions preceding each section and chapter to make them intelligible to the modern reader.

Such a version appeared in our study, *The Book of God and Man*, and was appreciatively received by many readers. The present translation represents changes in several scores of passages, which are the results of additional research, and, hopefully, of a better understanding of the book. Our translation into modern English has sought to capture the vigor of the original, including the cadences of the poet, though many of the effects of the Hebrew poem are, of course, unavoidably lost in any other language.

We believe that modern translations of the Bible into so-called "simple" or "colloquial English" result in a distortion of the original. The Bible was not written in colloquial Hebrew; no ancient Hebrew on the street spoke like Isaiah, or Job. Whether or not we accept the view of Cassuto that a verse-epic underlies the present prose narratives of the Torah and the Earlier Prophets, it is clear that they represent a very high level of literary art, combining loftiness and simplicity in extraordinary degree. Colloquial English may perhaps be an appropriate medium for New Testament *koine*; it is not adequate for the Hebrew Bible.

On the other hand, some translators, in their endeavor to transmit the feeling of the original Hebrew, have gone to the opposite extreme. They have consciously sacrificed the spirit of the language they were using and sought to create a Hebraic dialect in the vernacular. Fortunately, it is not necessary to pay so high a price in order to do justice to the original.

The two basic characteristics of biblical poetry are parallelism and, to a lesser extent, the meter patterns, which are based not on syllables, either qualitative or quantitative, but on stressed words or thought-units. Hence the qualities of biblical poetry are com-

municable in translation to a large degree. It is possible to capture much, though obviously not all, of the vigor and beauty of the original without doing violence to the spirit of the language-medium employed. Fundamentally, the goal of the translator is to make himself invisible — his version should be a clear mirror through which the author speaks to his English readers with the same impact as does the original to its Hebrew readers.

VI

The question may fairly be asked wherein the new Commentary advances our understanding of this profound and complex masterpiece. Its contribution may be subsumed under three principal headings:

A. *Lexicography and Exegesis.*[16]

We may cite such instances as the explanation of *hapax legomena* not hitherto elucidated[17] and homonyms not previously recognized.[18] The MT is supported and its implications are explained by reference to rare syntactic usages,[19] phonetic phenomena,[20] and and the use of comparative material from Middle-East literary sources.[21] Semantic usage resting ultimately upon the operation of human nature is illumined at times by psychological analysis and at others by parallel phenomena in other culture areas, even as far removed as Elizabethan England.[22] Obviously, the testimony of the Versions critically evaluated and utilized proves helpful in many instances.[23] The Masoretic tradition of *Tiqqunei Sopherim* suggests an approach to some difficult passages in MT.[24] Examples for these and other categories can easily be multiplied.

[16] For the full discussion of individual passages, the reader must be referred to the Commentary.

[17] As e.g. לִמֶּךְ (6:14); cf. 10:23; נהרי (20:17); עטיניו (21:24).

[18] As e.g. מרֹרה (20:25); התענג (22:27; 27:10); אבלים (29:25).

[19] As e.g. כמרירי (3:5); כפלים (11:6); כעול, כרשע (27:9).

[20] As e.g. ביד (8:4; 37:7).

[21] As e.g. אמי ואחתי (17:4).

[22] For the first, see Comm. on 20:4 and see note 8 above. For or the second, cf. Commentary on 12:6; 37:20; 6:7.

[23] As e.g. 5:6 and elsewhere. [24] Cf. Commentary on 9:19, 35.

B. *Contribution to the understanding of the style and other literary attributes of Job.*

In our study, The *Book of God and Man*, which appeared in 1965, chapter XIV is devoted to explicating the role of allusion in language and literature. All speech, particularly poetry, uses words not only for denotation, to refer to concrete, definable objects, but for connotation, to suggest the penumbra or aura that surrounds the denotation of words and goes beyond them. The connotative function of language, expressed by implications rather than by its explications, is especially significant in religious literature, which is concerned with דברים העומדים ברומו של עולם "matters standing at the highest reaches of the world," areas to which ordinary experience and expression cannot ascend. Paul van Buren has recently reminded us in his *Edge of Language* that all religious discourse teeters on the edge of the known and seeks to express more than can possibly be said.

One important specific form of allusion is analogy. Analogy is particularly fundamental to Wisdom Literature, as is clear from the fact that the characteristic literary genre of *Hokmah* is the *māšāl*, basically "resemblance, similitude," which includes proverb, fable, parable and allegory, as well as the only slightly less basic form, the *ḥidah*, "riddle." The Talmud describes Job himself as a *māšāl*, a symbol or, if you will, a parable of man's condition in God's world.[25]

[25] The Amoraic statement איוב לא היה ולא נברא אלא משל היה (*B. Baba. Batra* 15a) was made in the presence of Rabbi Samuel bar Nahmani. In *Mid. Gen. Rabbah*, see 57, the same idea is expressed in a statement attributed to *Reš Laqiš* איוב לא היה ולא נברא "Job never existed or was created" and is then modified to read: מאי לא היה ולא נברא ביסורים שנכתבו עליו ולמה נכתבו עליו שאילו באו עליו היה יכול לעמוד בהן. "What does the statement (cited above) mean? That the sufferings that are attributed to him did not actually come upon him. Why then were they narrated? To teach that had they come upon him he would have been able to sustain them." The reinterpretation is obviously designed to blunt the edge of the denial of the actual existence of Job, in view of the important role he plays in rabbinic Aggadah. The same motive explains the emended form of the statement in a Responsum of R. Hai Gaon: איוב לא היה ולא נברא אלא למשל "Job was created only to

This use of allusiveness and analogy is the key to the major problem in the over-all interpretation of the Book of Job. It is upon the meaning of the God Speeches that the significance of the book as a whole depends. With all due respect for the scholars and critics who have labored on this fascinating book, I am unable to believe that the extraordinary genius who wrote *Job* could be guilty of the kind of lapses in logic attributed to him by many commentators in their interpretation of the Speeches of the Lord. Some declare that the Speeches are designed to emphasize the power of God and that on that basis Job is overwhelmed. Yet Job has conceded this very point time and again during the Dialogue with the Friends. Others regard these Speeches as coldly contemptuous of man — this in a book which agonizes over human suffering as no other in world literature! Still other interpreters regard the God Speeches as emanating from another writer and hence totally irrelevant to the subject at issue, having been attached to the book in order to distract the reader from the painful problem of evil.[26]

This atomization of the book is not limited to the God Speeches or the Elihu section; even the authenticity of the three cycles of the Dialogue between Job and the Friends has been denied by some critics, while others have transposed large sections from one speaker to another.

The net result of these procedures is to disregard the superb architectonic structure of the book and convert it into a collection of *disiecta membra*. One important reason for the inadequacy of these various views is the fact that they operate with the explicit content of these Speeches rather than with the implications which

serve as a parable (or paradigm)." Cf. L. Ginzberg, *Legends of the Jews* (Philadelphia, 1909–38), V, 381, n. 3.

[26] For a detailed presentation and analysis of these and other approaches to the meaning and autheticity of the Speeches of the Lord, cf. *The Book of God and Man*, 117–134. For our view of the very acute but highly subjective approach to the structure of Job (*Encyclopedia Judaica*, vol. 10, col. 112–131, which discovers two separate prose tales and two originally independent poems in the present book, see our forthcoming Commentary, Special Note 47.

the reader is expected to understand and upon which we shall comment below.

Other important clues to the understanding of various passages which appear enigmatic are to be found in this penchant for implication rather than explicit utterance and in the affinity of Wisdom writers for the *ḥīdāh*. The poet will use the third person pronoun or suffix to introduce a new theme without identifying it. By out Western canons, this is a sudden intrusion of a new subject, but the ancient Hebrew reader derived a keen esthetic pleasure from the flash of recognition which came to him when grasping the intent of the text. Instances of this usage, which constitute the key to the exegesis of the particular passages, occur in 8:12 (*'ōdenu*), 8:16 (*hū'*), 13:38 (*v^ehū*), 24:1,5,13 (*hēmāh*), 24:5 (*hēn*), 41:2 (*tōhaltō*), though not all apparent examples represent the same degree of certainity.[27] The use of allusion is a staple element in the *payyetanic* style of medieval Hebrew poetry, [28]

Another major stylistic trait, to which we called attention several years ago, has since been widely recognized as indispensable to the understanding of biblical and Oriental literature in general and Wisdom in particular. It also derives from the penchant of the ancient writers to enlist the active participation of the reader in grasping the intent of the text. I refer to the use of "virtual quotations" without a *verbum dicendi* or *cogitandi*, for which there is abundant and growing evidence from Egyptian, Akkadian, biblical and rabbinic literature.[29]

[27] Cf. the Commentary on these passages and *BGM*, chap. XIV for the esthetic experience basic to this literary usage.

[28] Instances of this practice are virtually innumerable. To cite only one instance, the prayer for rain, *Gešem*, contains the refrain, *ba'^abhūrō 'al timna' mayīm*, "For his sake do not hold back the water." The suffix on the preposition refers successively to Abraham, Isaac, Jacob, Moses, David and Israel, but in none of the stanzas preceding the refrain is any of them explicitly named; instead they are described in a variety of biblical and midrashic allusions.

[29] I had first presented the idea of "virtual quotations" in 1939, in "Quotations in Wisdom Literature," *JQR*, (N.S.), XXXI, 123–47. More detailed research resulted in a study, "Quotations as a Literary Usage in Biblical, Rabbinic and Oriental Literature," *HUCA*, XXII, (1949), reprinted in *Poets*,

These virtual quotations perform a variety of functions in the biblical text, falling into 11 categories, most of which are represented in Job. The following types of "virtual quotations" occur in Job, obviating the necessity for wholesale deletions, transpositions and emendations in the text: (a) Brief citations of folk Wisdom. These may take the form of proverbs[30] or the point may be made by questions drawn from experience where the expected answer is in the negative.[31] Whether these apothegms are quotations from extant literature or original formulation by the poet of fundamental truths cannot be determined and is not really important.[32] (b) Direct quotations.[33] (c) The presentation of the previous attitude or outlook of the speaker.[34] (d) The use of contrasting proverbs where the author's view is embodied in the second member of the pair.[35] (e) The rare use of indirect quotations without a *verbum dicendi*.[36]

The most important use of "virtual quotations" in Job, indispensable to the understanding of the book, is (f) the citation of the arguments of opponents for the purpose of refutation. It is highly significant that this use of "virtual quotations" is to be met

Prophet, and Sages (Bloomington 1971), 104–59. Additional material was included in "The Use of Quotations in Job," in *BGM*, 169–189, on which the summary in the text above is based. See also Special Note 24 in the Commentary.

30 Cf. 2:4; 5:1; 12:11, 12, 13; 14:11; 17:5; 32:7–9; 34:3.

31 Cf. 6:5, 6; 8:11. For this Hokmah usage in prophetic literature, cf. Jer. 2:11; 13:23; Am. 3:3–6.

32 See our discussion of this question in *PPS*, 132 and n. 79, p. 155. So, too, Archer Taylor, *The Proverb* (Cambridge, 1931): "We shall never know, for example, which of the Exeter Gnomes in Old English poetry are proverbial and which are the collector's moralizing in the same pattern (p. 6). "Biblical proverbs... may have here proverbs before their incorporation into Holy Write." (*op. cit.* 59).

33 Thus Job cites God's words in his Second Response in 42:3 and 4b (see Comm. ad loc for the significance of this fact). Straightforward quotations occur without a *verbum dicendi* in 7:4b; 15:21b; 22:8, 12–14; 34:35–37. See the Commentary.

34 E.g. 27:7–10; 31:2 ff., 5, 12 f., 14 f., 23, 28.

35 Cf. 12:12 f., Comm. on 32:7–9.

36 See Comm. on the important passage 13:14 f., and on 19:28b; 35:2 f.

with in Job's speech at the end of the First Cycle (12:6 ff., 12: 13:14), at the conclusion of the Second Cycle (21:19a, 22, 28,30a), and in the Third Cycle (chap. 24). It occurs in the polemical speeches (33:12 f.) of Elihu as well, who frequently cites Job explicitly or parodies his language. Finally, Job utilizes the same device in his closing response to the Lord (chap. 42:3a, 4a). The presence of the same literary usage in all three cycles of the Dialogue with the Friends, in the Elihu Speeches and in Job's response to the Speech of the Lord out of the Whirlwind, does not *demonstrate* the unity of the book, but it certainly supports the view of the architectonic unity of the work.

Another stylistic trait uniquely characteristic of Job is a variation from the usual techniques employed in parallelism. It is well known that generally a poet will use different roots or vocables in parallel stichs. Unfortunately, this correct observation has been extended to make this an invariable rule, so that where MT uses the same root in parallel or adjacent stichs, critics have preceded to emend the text *ad libidinen* on the ground that the repetition must be due to a scribal error. What has not been noted is the distribution of the phenomenon. Thus while G. B. Gray finds only three instances of such repetition in the first 39 chapters of Isaiah, we have found 40 examples in the 39 poetic chapters of Job.[37] Were these instances of scribal error, the distribution in different biblical books would be more nearly equal. It is clear that repetition of the same root or word in parallel or adjacent stichs is a stylistic characteristic of the author of Job. While his mastery of the Hebrew language and all its resources needs no demonstration, he nevertheless repeats words whether for reasons of emphasis or on subtler grounds that elude us today. At least one other biblical poet, the author of Lamentations, chapter two, manifests a similar tendency.

Finally, an important distinction is drawn in the Commentary between "myth" and "mythology," in Job. A reference to Mars in

[37] See Comm., Special Note 4 for the entire rubric of these usages. For the present, see our remarks in *Catholic Biblical Quarterly*, 1973, 35, 241 f.

Virgil represents a different order of discourse from the use of "Mars" in Milton. For Virgil, it is myth, part of his religion; for Milton it is mythology, a literary allusion, rich in connotation, to be sure, but not literally true. Job abounds in mythological references, on which considerable light has been shed by our increasing knowledge of Near Eastern literature and religion. There is, however, an important distinction between references to Leviathan in Job (3:8) or Rahab (26:12), or in Isaiah (27:1), both of whom were thorough-going monotheists on the one hand and the striking parallels cited from Ugaritic and Akkadian literature on the other. The difference has all too often been ignored.

C. *The larger issues of content and structure in Job*

Finally, the Commentary seeks to contribute to our understanding of the larger issues of content and structure of Job, which are inseparable from one another.

It is a reasonable assumption that the book represents the lifetime activity of a poet and is a complex literary work welded into a triumphant unity. The poet utilizes various literary genres, such as psalm compositions (chap. 5:19 ff.), parables (chap. 8:12 f.), and "protestations of innocence" (chap. 31), which have their analogues elsewhere in biblical and extra-biblical literature. However, material of this kind is not to be regarded as lifted bodily from extraneous sources; the poet is much too gifted to need to resort to such devices. He has utilized the literary models current in his time to compose his own material now thoroughly integrated into the body of his work.

The most striking instance of his use of extant material is the prose tale, which constitutes the Prologue and Epilogue of the book. Several stages in the development of this widespread Oriental folktale, which was undoubtedly not limited to Israel, may be reconstructed. There may have been others that have left no discernible traces behind.[38] Even here, the poet has not incor-

[38] On these stages of the prose narrative, cf. "The Tale of Job" in *BGM*, chap. VI.

porated the folk-tale bodily into his book. He has retold the tale with exquisite artistry, as is clear from the striking alternation of the five scenes between earth and heaven in chapters 1 and 2. He has boldly eliminated references to Satan in the Epilogue, which would have proved anticlimactic to his purpose. Finally, he has linked the traditional folk-tale to the poetic Dialogue by two jointures (2:7–10 and 42:7–10), which serve to introduce the protagonists of the debate at the beginning and then dismiss them at the end.

It is clear from the length of Job's speeches and their passion and eloquence — as well as from the explicit statement after the Dialogue (42:7–10) — that the poet's sympathies lie with Job and not with the Friends. Nevertheless, the poet's genius is manifested in his treatment of the Friends. Their traditional concept of Divine justice is presented fully, fairly and objectively by the poet. Nowhere else is the traditional doctrine of retribution, with its major and minor refinements, set forth as effectively as in Eliphaz's first speech (chapters 4–5). In one sense, one is reminded of the high degree of insight Shakespeare shows in Shylock and in his motivations ("Hath not a Jew eyes?"), in spite of the fact that, on the conscious level, Shylock is the villain of the play. However, the poet's relationship to the Friends goes beyond empathy. He recognizes that their standpoint has large elements of truth — retribution does operate in the world. Its weakness is that it claims to fully explain the existence of evil and from this inadequate premise it presumes to draw disastrous conclusions.

The basic answer of the book is reserved for the God Speeches, but here the implications are crucial. In the Speeches of the Lord out of the Whirlwind, the natural world is described with great exultation as the handiwork of God. At every turn, it exhibits the beauty in which God rejoices, and which even man can recognize, however imperfectly. Not only is the natural order not fully comprehensible to man, it is not under his control nor is it intended for his use. For the author of Job, the universe is not man-centered. The first implication is clear; if man cannot grasp the world, how can he pass judgment upon its Creator?

There is a further and equally important implication. Paralleling the natural order, which goes back to God the Creator, is the moral order, which is equally an expression of the will of God, the arbiter of history. This basic conviction of the one source for nature and history which permeates the thought of Deutero-Isaiah is transposed by the author of Job to the arena of man's individual life. God's law of righteousness operates in the life of each man; man's actions have inevitable consequences of good or ill. But the agonizing issue of the frequent lack of correspondence between right-doing and well-being on the one hand, and ill-doing and disaster on the other, remains all too palpable. Here the author of Job suggests not an answer but an approach that makes it possible for man to live in the world. Though man does not fully grasp the natural order, since it contains much beyond his understanding, the sense of a cosmos, of a pattern in the natural order, is borne in upon man. The analogy with the moral order would not be lost upon the Hebrew reader — all explanations of evil, including those that appear true, are at best only partial.

But the poet goes beyond the stance of *ignoramus*, "we do not know," beyond the residue of mystery, perhaps an irreducible core, that remains beyond man's ken. As Rabbi Jannai declared centuries later, "It is not given us to understand the well-being of the wicked or the suffering of the righteous."[39] Here the literary form in which the Lord's response is couched is profoundly significant — we do not have a prosaic catalogue of what man does not know about the natural order, but a triumphant paean of joy to its beauty, calling upon us *Gaudeamus*, "Let us rejoice." The beauty of the natural order in which man can rejoice suggests the existence of a pattern in the moral order, by which men may be comforted. Both orders are expressions of the will of God which we may trust even when we do not fully understand.

In this connection, Job's two separate Responses to the Lord are entirely in place. In the First (40:3–5), Job is silenced by the overwhelming recognition of the mysterious natural order of nature

[39] *M. Abot* 4:15

which he cannot fathom. In the Second Speech of the Lord, God concedes that evil is not yet destroyed and ironically declares that if Job can succeed in destroying all the wicked, He himself would make obeisance to Job (40:6–14). God then proceeds to describe with pride the beauty even of *Behemot*, the hippopotamus, and *Leviathan*, the crocodile, creatures that are repulsive to man and even dangerous. Job, in his Second Response, now concedes his error in presuming to judge the ways of God who has created a world which is not anthropocentric, and he now "repents in dust and ashes" (42:1–6). Yet, be it noted, nowhere is it implied that Job's challenge to God's justice was mistaken or that his claim to basic integrity was false. On the contrary, in the jointure linking the poetry to the conclusion of the Prose Tale, Job is explicitly vindicated as "having spoken the truth" about Him, and the Friends are stigmatized as having been untrue to the God they were ostensibly defending (42:7, 10).

Contrary to wide-spread opinion, the Elihu chapters are, we believe, essential to the architecture of the book.[40] It would seem that, with the passing of years, the poet developed another insight into the problem of suffering, to which he was also led by the influence of Deutero-Isaiah, whose impact may be discerned throughout the book. The great Prophet of the Exile had expounded a doctrine of the suffering endured by the "Servant of the Lord." God has ordained that Israel be exposed to indignity and hatred far beyond the measure of its sins (Isa. 40:2). Hence Israel's suffering is not the sign or the consequence of Israel's transgression; its lowly estate in the present is the result of its role as God's messenger, the teacher of His law of righteousness, freedom and justice (42:1–10; 44:1–5). This the nations are too blind as yet to comprehend and accept, but it will ultimately become clear to them as they attain deeper insight and moral maturity (52:13–53:13).

This interpretation of a people's sufferings as not being the

[40] For a full discussion on all the problems posed by the Elihu chapters, see "Elihu the Intruder" in *BGM*, chap. IX.

result of sin is applied by the author of *Job* to the problem of the suffering of the individual. The fundamental response is that of the God Speeches, but a secondary answer is presented by Elihu. It should be noted that Elihu's position is distinct both from that of Job and his Friends, and he, therefore, turns upon them both (chapter 32). The Friends have argued that Job's suffering is evidence that he is a sinner and that his suffering, therefore, is just. Job has denied both contentions. Elihu adopts an intermediate position. He contradicts the Friends' claim that Job is a sinner, but he also opposes Job's insistence that his suffering is unjustified. He argues that at times the righteous may suffer as part of a regimen of education. Suffering may serve as a Divine discipline, a prophylactic against sins that threaten all men and to which the righteous are especially prone, notably *hybris*, the complacency and smugness of self-righteousness (chapter 33).

It thus becomes clear that Elihu's speeches do make a significant contribution to the discussion. Were that not the case, as is argued by many commentators, it is hard to see why the chapters were written and interpolated in the first place.

An analysis of Elihu's style, including vocabulary and morphology, indicates that it differs from that of the Dialogue, but only in degree, not in kind, that is to say, in the preference for one form as against another, or in the frequency of Aramaisms in the text.[41] Both the similarities and the differences between the Friends' Dialogue and Elihu's are real. They suggest the conclusion that the Elihu speeches emanate from the same author as the Dialogue, but from a later period in his life, perhaps from the very end of his career. They are, therefore, marked by stylistic changes which normally take place with the passing of time, including the greater obscurity and opacity of many passages.

Several illuminating parallels for this hypothesis are available from world literature. Two instances may be adduced. The two sets of *Epistolae* attributed to Ovid differ in style and format very substantially and older classical scholarship therefore branded the

[41] Cf. *BGM*, 333 f., Notes 8–14.

second group as spurious. Today the prevailing opinion in contemporary classical research is to regard the second series as the genuine work of the author, but emanating from a later period in his career.[42] Equally apposite is the history of the composition of Goethe's *Faust*, where both the authorship and the dating are not in question. Goethe became interested in the Faust theme in early youth, when he wrote various *Faust Fragments*, some of which were later incorporated into his great drama. He first came to grips with the theme in the *Urfaust* in 1774. It was not until 34 years later, in 1808, that the first part of *Faust* appeared. The second part was completed shortly before his death in 1832. In the sixty-year gestation period of the work, Goethe's conception of his theme and of the characters, as well as his poetic style and vocabulary, underwent a profound transformation. The epigramatic style of Part I developed into an opaque, complicated, symbolic mode of expression characteristic of Part II.[43] The Book of Job was no less worthy of the lifetime effort of a great poet than was *Faust*.

The Commentary on which we have been working is an effort to contribute to the understanding and appreciation of the Book of Job, by offering new insights into details of exegesis, into the larger aspects of style and rhetoric, and into the over-all issues of structure and meaning. Read with empathy and insight, the Book or Job emerges as a great architectonic unity, each element organically related to the whole and contributing to the power, wisdom and beauty of this, the greatest statement on God's ways with man and man's destiny on earth.

42 The details, as well as a bibliography on this shift of view by classical scholars, is presented in a communication from Dr. Howard Jacobson, Professor of Greek and Latin at the University of Illinois, included in the Commentary, Special Note 33.

43 Cf. *BGM*, 102–3, 111.

WORTHINESS, ACCLAMATION, AND APPOINTMENT: SOME RABBINIC TERMS

by Samuel Leiter

Professor Saul Lieberman's study[1] of acclamation in rabbinic literature examines how the Greek term καλός "beauty" penetrated into the language of Jewish Palestine during a period of Hellenistic culture. He has, with remarkable conciseness, described its etymological character, modes of expression and social and religious uses.

I would like to turn the examination inwards, and to note some of the ideas inherent in the ceremonial act of acclamation, emphasizing throughout the concept of worthiness[2] which seems to underlie the whole complex of acclamatory terms and situations.

What did it mean, in the time of the Rabbis, to be worthy? What were some of the qualities or virtues a man had to possess, in order to be considered worthy? What kind of personal beauty or achievements were the conditions of worthiness? How were these attributes recognized and attested? How, especially, did qualities come to be qualifications that made the worthy man fit, suitable, or eligible for office and honor. What were some of the terms used to indicate worthiness and eligibility, or, in respect to acclamation, how did being praiseworthy reflect being worthy?

In order to limit the scope of this study and to illustrate the development from quality to qualification to appointment to endowment of virtue or merit in a concrete way, it would be convenient to consider, in addition to terms of worthiness and

[1] קלס קילוסין, in *Alei Ayin, The Salman Schocken Jubilee Volume* (Jerusalem, 1948–1952), 75–81.

[2] See M. P. Charlesworth, "Pietas and Victoria: The Emperor and the Citizen," *Journal of Roman Studies*, xxxiii (1943), 4–10.

acclamation, several physical attributes and to trace schematically the evolution of each.

A rabbinic text in *Midrash Tanḥuma*[3] refers to the dignitaries who joined Ḳoraḥ's rebellion. Their names are not mentioned; however, a parable explains how their identity is disclosed: משל למה הדבר דומה לבן טובים שהיה גונב כלים בבית (המדרש) המרחץ ולא היה רוצה בעל הגניבה לפרסמו התחיל נותן בו סימניו אמרו לו מי גנב כליך אמר להם אותו בן טובים בעל קומה הוא עיניו נאות שערותיו שחורות חוטמו נאה. "A parable. What is it like? Like a man of good family who was stealing clothes from the bath-house. The owner of the clothes, not wishing to divulge his name, identified him by his traits. They said to him: Who stole your clothes? He answered: A person of good family. He is a man of stature; his eyes are beautiful, his hair black[4] and his nose fair."

Personal beauty is the main object of praise. All the formulae and gestures that make up the ritual of acclamation are focused on the term καλός "beautiful". In Hebrew "acclaim" becomes קלוס and 'to acclaim' לקלס.

A Genesis Apocryphon[5], indicates Sarah's surpassing beauty: וכל בתולן וכלאן די יעלון לגנון לא ישפרן מנהא "All maidens and brides that enter the canopy are not more beautiful than she." The Talmud records the formula for praise of beauty that was applied to a scholar at his ordination ceremony: כי סמכו רבנן לר׳ זירא שרו ליה הכי לא כחל ולא שרק ולא פירכוס ויעלת חן "When the Rabbis ordained R. Zira they sang before him thus: No eye paint, no rouge, and no dyeing and still a graceful gazelle" (*Ketuboth* 17a).

[3] *Midrash Tanḥuma* Ḳoraḥ 2. Cf. *Midrash Tanḥuma*, ed. Buber, Ḳoraḥ 5 (iv 86); *Bamidbar Rabba* Ḳoraḥ 18:3; *Yalkut Shimoni*, Ḳoraḥ, section 750, 500b; "Yelamdenu passages in Yalkut Talmud Torah," in J. Mann and I. Sonne, *The Bible as Read and Preached in the Old Synagogue* (Cincinnati, 1966), 150.

[4] Beautiful eyes and beautiful hair are singled out for praise. See *Bereshith Rabba*, ed. Theodor-Albeck, 87:3, 1063; 43:19, 421; Song of Songs 5:11–12; and *A Genesis Apocryphon*, ed. N. Avigad and Yigael Yadin (Jerusalem, 1956), column 20, lines 2–3. Cf. the commentary of R. Menahem Hameiri on Proverbs 7:25. On the order of the features praised see *Tanḥuma* Tisa 18.

[5] Column 20, line 6.

The characteristic confirmation of the bride's beauty becomes a formula for affirming the worthiness of the candidate for ordination. *Vayyikra Rabba*[6] explains Jacob's blessing of Ephraim: אמ׳ לו אפרים ראש השבט ראש ישיבה יפה ומעולה שבבני יהא נקרא על שמך "He said to him: Ephraim, the head of the tribe, head of the academy, the most beautiful and excellent of my sons shall be called after you." It would seem that the attribute of beauty יפה has been transformed in a variety of contexts to mean "worthy." Hence a *matrona* praises[7] the Torah: יפה תורתכם נאה ומשובחת 'Your Torah is beautiful, comely and splendid."

E.D. Curtius writes[8] that descriptions of beautiful men in the Middle Ages could use Biblical exemplary figures rather than Greek ones. To say that a king is beautiful is a topos. Curtius writes of the fixed schemata that were developed for eulogies of rulers in Hellenistic times, "Physical beauty is always a requisite of a king's description, and the Middle Ages take it over too." *Midrash Lekaḥ Tob on Song of Songs* remarks:[9] דבר הכתוב דברים הנשמעים לאוזן דרך מלך מהודר ואיש גבור ונחמד למראה ונאה עד אין חקר "Scripture speaks figuratively. It is the manner of a king to be majestic, strong, pleasant to look at, and infinitely beautiful."

More than metaphor or topos is involved. Because physical beauty was originally a prerequisite for kingship, it became a requisite for eulogies as well. An old requirement for office is submerged in the acclamation of the candidates beauty.[9a]

The reality behind the figurative language is preserved in Scripture. Ezekiel declares (16:13): "and thou didst wax exceedingly beautiful, and thou wast meet for royal estate.. " and the psalmist praises (45:3): "thou art fairer than the children of men."

6 Ed. Margulies, 38–39.

7 *Ibid.*, 8:1, 166.

8 *European Literature and the Latin Middle Ages*, trans. W.R. Trask. (New York and Evanston, 1963), 180–182.

9 (London, 1909), 74.

9a Cf. *Sifre on Deuteronomy*, ed. L. Finkelstein, 27–28. Beauty in the literal sense is considered and rejected as a qualification: שמא תאמר פלוני נאה אושיבנו דיין "Lest you say this one is handsome — I will appoint him judge..."

In later tradition special laws provide for the king's beauty. *Yoma* (78b) records that the king washes his face on Yom Kippur because of the injunction מלך ביפיו תחזינה עיניך "Your eyes shall see the king in his beauty" (Isaiah 33:17). In *Sanhedrin* (22b), R. Abba b. Zabda cites the same verse to explain why the king must have his hair cut daily.[10] Two comments[11] on Leah's interpretation of Asher's name (Genesis 30:13) point in this direction: 'their daughters were beautiful and married to priests who were anointed with olive oil... their daughters were beautiful and married to kings who were anointed with olive oil..."

When the elders discuss Absalom and say:[12] מה נאה אבשלום למלך there is an ambiguity. Normally we would read, "How fit (or: how eligible) Absalom is to be king," just as we understand Adonijah's claim[13] אני גדול משלמה ואני נאה למלכות "I am older than Solomon and I am worthy of kingship." But the idiom has to be literalized in this case in light of the passage in *Sotah* (10b) on the Mishnah: אבשלום נתגאה בשערו "Absalom was presumptuous because of his hair." נתגאה means "to boast", "to be presumptious", "to assert that one is worthy." A passage in *Tanḥuma*[14] shows how to put down pretenders:[15] לפי שהקב״ה אמר לנביא בן אדם נהה על המון מצרים והורידהו... התחיל פרעה מתגאה ואומר אני יורד אצלו א״ל ממי נעמת ממי אתה יפה טוב אתה ממלך אשור "Because the Holy One, Blessed is He, said to the prophet, *Son of man, wait for the multitude of Egypt and cast him down* (Ezekiel 32:18), Pharaoh became presumptuous, saying 'I go down to him?' He (God) said to him: *Whom dost thou surpass in beauty*? Than whom are you more handsome? Than whom are you more beautiful?"

[10] Cf. T.P. *Sanhedrin* 2:6 where on two occasions the Patriarch R. Judah is instructed to dress befitting his office because "Your eyes shall see the king in his beauty."

[11] *Bereshith Rabba* 71:10, 835. Cf. *Tanḥuma*, Vayeḥi, 13.

[12] *Midrash Tanḥuma*, ed. Buber, Vayeṣe 17, I 156.

[13] *Midrash Mishle* on Proverbs 19:21, ed. Buber, 86.

[14] *Midrash Tanḥuma*, ed. Buber, Beshalaḥ 9, II 58.

[15] Some other examples of divine dealing with the vainglorious are found in *Midrash Tannaïm*, ed. Hoffmann, 10, *Vayyikra Rabba*, 161–163. See also *Yalkut* on Ezekiel 27, No. 367.

The Talmud in *Sotah* comments on אבשלום נתגאה בשערו by quoting Scripture: אבשלום בשערו מרד שנאמר (ש״ב יד:כה) וכאבשלום לא היה איש יפה בכל ישראל להלל מאוד מכף רגלו ועד קדקדו לא היה בו מום ובגלחו את ראשו והיה מקץ ימים לימים אשר יגלח כי כבד עליו וגלחו... "Absalom rebelled because of his hair, as it is said (II Samuel 14:25) Now, in all Israel there was none to be praised so much as Absalom for his beauty; from the sole of his foot to the crown of his head there was no blemish on him. And when he polled his head — now it was at every year's end that he polled it; because the hair was heavy on him therefore he polled it — he weighed the hair of his head at two hundred shekels, after the king's weight."

Perfect beauty leads Absalom to be vainglorious. His suitability[16] becomes unimpeachable as no one can put him down with the jibe, "Than whom are you more beautiful?" However, when other kings are also acclaimed as beautiful or manly, the acclamation is frequently an empty compliment. The king may be ugly and weak but, just as — according to Beth Hillel[17] — the plain bride is acclaimed as comely and beautiful, so too the king is acclaimed as handsome and manly, even though there may be a discrepancy between the praise and the man. *Mekhilta DeR. Shimon b. Yoḥai*[18] puts it well: למה הדבר דומה למלך בשר ודם שנכנס למדינה והיו מקלסין לפניו שהוא גבור ואינו אלא חלש שהוא חכם ואינו אלא טפש שהוא עשיר ואינו אלא עני ואין בו אחת מכל אלו המידות אלא שמחניפין לו אבל מי שאמר והיה העולם אינו כן "What is it like? Like a mortal king who enters a city and they were acclaiming him as strong when in fact he was weak, as wise when in fact he was a fool, as rich when in fact he was poor. He did not have one of all these qualities, but they flatter him. But the One who created the world by speaking, is not so."

No hyperbole is used in regard to divine attributes. Acclamations of God are especially fitting because God is indeed beautiful.

16 Cf. Fritz Kern, *Kingship and Law in the Middle Ages*, trans. S.B. Ehrimes, (Oxford, 1939), 15–16.

17 *Ketuboth* 17a.

18 Ed. Y.N. Epstein and E.S. Melamed (Jerusalem, 1955), 73.

Sifre[19] remarks on this: ואתא מרבבות קדש מלך בשר ודם יושב בתוך פלטיא שלו יש בה בני אדם נאים ממנו בני אדם משובחים ממנו בני אדם גבורים ממנו אבל מי שאמר והיה העולם אינו כן אלא ואתא מרבבות קודש אות הוא בתוך רבבות קודש וכשנגלה על הים מיד הכירוהו זה אלי ואנוהו כן היו כל אומות העולם שואלים את ישראל ואומרים להם מה דודך מדוד ... וישראל אומרים נאמר לכם מקצת שבחו דודי צח ואדום... "*He came from the myriads holy*. When a mortal king sits in his palace there are people more handsome, more splendid, more manly than he, but He who brought the world into being by speaking, is not so, but *He came from the myriads Holy* — He is singular among the myriads of angels. And when He revealed Himself at the Sea they recognized Him immediately: *This is my God and I declare Him beautiful.* Thus the nations of the world asked Israel: *What is thy beloved more than another beloved*? (Song of Songs 5:9)... Israel replies: We will tell you some of His praise and then you will recognize Him: *My beloved is white and ruddy*" (*Ibid* 5:10).

Then follows the anatomical description from Song of Songs. Israel says: I acclaim Him, I declare Him beautiful, I apply the epithets of acclamation because He *is* beautiful. אנוהו has been literalized; it functions as a realistic description of the surpassing beauty of He who is נאה.[20]

נאה[21] is the dominant word for "beautiful" in rabbinic literature.

[19] *Sifre on Deuteronomy*, ed. L. Finkelstein (New York, 1969), 389 – 399. See *Mekhilta Beshalaḥ*, ed. Horovitz-Rabin, 120, lines 9–16, 127, lines 10–16, 143, lines 6–7; *Midrash Tanḥuma*, ed. Buber, Berakhah 3, V 55; *Pesikta DeR. Kahana*, ed. Mandelbaum, 220, 449. Cf. *Tanḥuma* Bereshith 5 and *Tanḥuma Yelamdenu Fragments*, ed. E.E. Urbach, in *Kobez Al Yad* VI, 1, 22: where God's stature is also mentioned.

[20] Cf. *Debarim Rabba*, ed. Lieberman, 68.

[21] Suitability and worthiness are the meanings of נאה in such statements as: ראובן בכורי אתה נאה אתה לבכורה "*Reuben, you are my first-born.* You are worthy of primogeniture," (*Tanḥuma*, ed. Buber, Vayehi 11, I 218). In *Midrash Tehillim* (4:6, ed. Buber, 45) נאה appears together with ראוי: שהוא ראוי ונאה לנצח "For he is qualified and worthy to praise." In *Vayyikra Rabba* (13:2, 273) the passage מדד הקב״ה בכל האומות ולא מצא אומה שהיא ראויה לקבל את התורה אלא ישראל "The Holy One, Blessed is He, measured all the nations and did not find a nation worthy of receiving the Torah" has a variant in a Geniza

יפה is not as frequent. When the καλός cry in the prevailing custom of acclamation introduced קלוס into Hebrew, it became, as Dr. Lieberman has shown, the dominant term for acclaiming, לקלס. The Hebrew ליפות is not frequent. An understanding of its use clarifies a passage in *Bereshith Rabba* Lekh 39:1, p. 365: "The king desires to acclaim you" a play on לך in Genesis 12:1 taken as a term of acclamation as in the following interpretation (p.366)," and your name will be magnified (i.e., acclaimed) in the world."

I think that it would not be too bold to assert that ליפות perseveres as a special term of Merkabah mysticism. The motto of the Merkabah mystic could well be מלך ביפיו תחזינה עיניך *Your eyes shall see the King in His beauty* (Isaiah 33:17),[22] a recurrent motif in descriptions of the mystical ascent. For the ultimate goal of the Merkabah mystic is to see the beauty of God and thus the term יפה is a recurrent term in mystical literature. In G. Scholem's *Major Trends in Jewish Mysticism*[23] he quotes a Hekhalot passage which deals with מי שאינו ראוי לראות מלך ביפיו "One who is not fit to see the King in His beauty." On another occasion I have identified *Midrash Tehillim*[24] 19:7 as a Sar-Torah mysticism text in which an Ascension of Moses passage asks: מה היה אוכל באור פני מלך חיים מזיו השכינה ואומר מלך ביפיו תחזינה עיניך "What did he eat? *Life (is derived) from the light of the Countenance of the King*, from the splendor of the Divine Presence, and it says: *Your eyes shall see the King in His beauty*." In *Shemoth Rabba*[25] the verse is interpreted as a promise to scholars ואני מראה לך יופי פנים אל פנים "I shall show you beauty face to face."

In fragments of Sar-Torah mysticism texts published by I.

fragment: ... מדד הקב"ה את כל הימים ולא מצא ים נאה שיעביר "The Holy One, Blessed is He, measured all the seas and did not find a sea suitable for..." (See the interesting uses of נאה as praise in *Mekhilta* 123).

[22] A more normative experience of seeing the King in His beauty is found in *Vayyikra Rabba* 23:13, 548.

[23] *Major Trends in Jewish Mysticism* (New York, 1946), 361. Cf. *Heikhalot Rabbati*, in *Batei Midrashot*, I. 108 n. 12. See also 75, 94, 104.

[24] Ed. Buber, 166, n.45.

[25] Beshalah 25:8.

Gruenwald[26] the phrase במלך וביופו recurs[27]. The angel יפיפיה appears in many of the Sar-Torah texts,[28] as the mentor of Moses. In *Midrash Mishle*[29] there is also a passage that deals with Merkabah mysticism: וכי לא זהו הדרי זהו גדולתי זה הדר יפיי שבני אדם מכירין את כבודי במדה הזאת "Is this not My splendor, My greatness, the splendor of My beauty, that My children perceive My glory... ?"

The "Prayer of the Awesome Crown" published by Sh. Musayoff,[30] instructs: ואל תחקור אמרי שפתיך מה שבלבך תבין ותדום כדי שתזכה ליופיות מרכבה "Do not inquire into the sayings of your lips, understand what is in your heart and be silent, so that you will be worthy of the beauty of the Merkabah."

In *Midrash Shemuel*[31] the Heavenly Song of the Kine is described: וישרנה הפרות שרן ואזלן מהלכין ביופי היו הופכות פניהם כלפי השיטה ואומרות שירה "*And the kine took the straight way* (I Samuel 6:12) and the kine sang, singing as they went, going and acclaiming, turning their faces to the acacia and acclaiming." מהלכין ביופי means precisely אומרות שירה, the dominant Hebrew term for acclaiming after the introduction of καλός.

In *Aggadath Shir Hashirim*[32] the editor cites a manuscript that describes God and Israel exchanging acclamations. The style is for both to use the same key term: וכנסת ישראל אומרים דודי צח ואדום והמקום אומר לישראל מה יפו פעמיך בנעלים בת נדיב "The Congregation of Israel says: *My beloved is white and ruddy* and the Lord says to Israel: *How beautiful are your feet in shoes, O Prince's daughter.*"

26 "New Passages from Hekhaloth Literature," *Tarbiz*, xxxviii:4 (June 1969), 354–372.

27 Fol. 1, lines 25, 46; fol. 2, lines 18, 23. See also fol. 1, line 48, fol. 2, line 43.

28 E.g., *3 Enoch*, ed. H. Odeberg, ch. 48, p. ע״ב. See "Midrash Otiyoth DeR. Akiba" in A. Wertheimer, *Batei Midrashoth* (Jerusalem, 1953), II 354 and parallel sources.

29 P. 67.

30 *Merkabah Shelemah* (Jerusalem, 1921), p. ו׳. See also *Pesikta Rabbati*, ed. Friedmann, ch. 20, 98 and the Merkabah liturgies published by E. Fleischer in *Kobez Al Yad*, VII 45,53,63, 69.

31 Ed. Buber, 82. Cf. G. Scholem, *Jewish Gnosticism, Merkabah Mysticism and Talmudic Tradition* (New York, 1960), 24–30.

32 Ed. Schechter (Cambridge, 1896), 61. cf. parallel sources.

Here the responsive acclaim equates מה יפו and דודי צח ואדום.

An interpretation[33] of the verse *Rise up my love, my beautiful one, and come away* applies *Rise up,* to Abraham, *My love, my beautiful one*, to Isaac, and *Come away* to Jacob. The term יפתי is attributed to Isaac because Israel is: בתו של יצחק שריעה אותי וייפה אותי ע״ג המזבח "...the daughter of Isaac who acclaimed me and beautified me on the altar." A midrashic tradition[34] relates that Isaac saw the Chambers of the Merkabah as he was bound on the *'Akedah*. Thus the aim of mystical experience מלך ביפיו תחזינה עיניך preserved the Hebrew as יפה a technical term for Merkabah acclamation.

A bride must be beautiful. The word כלה denotes perfection. A woman who is not beautiful is not fit to be a bride. The quality of flawless beauty qualifies her for marriage. She must be looked at, examined, inspected, to see that she is truly beautiful and whole. This is the first function of acclamation. It is a declaration by the onlookers that she has the qualities for the role or the title. The praises of the acclamation are an act of approbation and validation. The emphasis on viewing and seeing is so marked that it is hard to resist the notion that ראוי[35] in all its nuances is related to the showing and exhibition of the bride, or of any candidate for office, and to the following acclamatory verification.

Thus a king says[36], בתי נאה וחסודה ומשובחת... עשו לה פריום ומוטב שיראה יפיה של בתי מתוך הפריום "My daughter is beautiful and fair and splendid... make a litter for her. It is better that the beauty of my daughter be shown from a litter." In *Pesikta*

[33] *Shir Hashirim Rabba* 2:9:11, 33. See *Shir Hashirim Zuta* 1:15, 14.

[34] See Sh. Spiegel, "The Legend of Isaac's Slaying and Resurrection," in *Alexander Marx Jubilee Volume* (New York, 1950), 485, n. 13.

[35] Cf. *Aboth DeR. Nathan*, ed. Schechter, 157: משה ראוי לך Has Moses shown himself?" כלה also seems to have developed into a term for suitability, and elegibility. See *Mekhilta*, ed. H.S. Hurovitz, p. 1 שכשם שהיה משה כלל לדברות (כלול) כך היה אהרן כלל לדברות (כלול). Cf. *Bereshith Rabba* 62:25; 691: כולו כאדרת שער כלו ראוי לאדרת where ראוי may be a play on כלו = כלול; M. Zulay, *Piyyute Yannai*, 6: כיללתי אהבתך / לך טל ילדותך *Ibid.*, 50, 120, 217, 334

[36] *Shir Hashirim Rabba* 3:8:2.

Rabbati[37] the question is raised how to display the beauty of a king's daughter in order to acclaim her. A nobleman asserts that, rather than on an elephant or on a horse, it would be appropriate to display her on the shoulders of a man: פיל גבוה וסוס נאה ואין להם פה לדבר וידים לספוק ורגלים לרקוד "...an elephant is high and a horse is beautiful ונאה להרכיבה על כתפיים להראות את יופיה but they have no mouth to speak, hands to clap or feet to dance. It is more fit to place her on the shoulders (of a man) to show her beauty." This is what R. Aḥa does in the story in *Ketuboth* (17a): מרכיב לה אכתפיה ומרקד "He would put her on his shoulders and dance." Story after story[38] speaks of this need to see the maiden before her betrothal and to examine her beauty or to see her after she is a bride to substantiate her beauty.

Rav Sheshet is mocked by a heretic because he goes out with the rest of the populace to greet a king, although he is blind.[39] When R. Akiba would see Ḥuspit Ha-Meturgeman he would recite the verse: *You are fairer than the children of men* (Psalm 45:3).[40] In order to acclaim one must see. At the revelation by the Sea the children not-yet-born, acclaim God: זה אלי ואנוהו,[41] but first their mothers' bellies must turn to glass so they can see Him. In one passage[42] the question is raised: "Can a king praise a man unless he has seen him?" In *Sifra*[43] we find: "Israel said to Moses: How can a city acclaim a king when it hasn't seen the face of the king? Moses said: For that reason *For on this day the Lord shall be made visible to you.*" *Midrash Tehillim*[44] states "Then

[37] Ch. 20, 95a.

[38] See *Debarim Rabba*, ed. Lieberman, 35, 50–51; *Aggadath Shir Hashirim*, ed. Schechter, 36.

[39] *Berakhoth* 58a.

[40] *Midrash Shir Hashirim*, ed. Grunhüt (Jerusalem, 1897), 4b.

[41] *Sotah* 31a. Cf. R. Nehemiah's statement in T. P. *Sotah* 5:6 (20c). See also *Debarim Rabba*, ed. Lieberman, 15. In *Midrash Vayosh'a* (*Bet Hamidrash* I p. 52) Pharaoh points to heaven and confesses as the Israelites acclaim. He can no longer deny the visible God. Cf. *Tanḥuma*, Yitro, 7.

[42] *Aggadath Bereshith*, ed. Buber, 126.

[43] Ed. Weiss, Shemini, 43d.

[44] Ed. Buber, 147:2, 537.

all extol and acclaim and praise for they saw Him reign," and:[45] "(The righteous) praise Him as soon as they see Him, as it is said, '*And Israel saw the great hand*' (Ex. 14:31) and immediately they praised '*Then Moses and Israel sang*' " (Ex. 15:1). The pagan peoples see the serenity of Israel and prostrate themselves and say, "How beautiful is this Lord! How beautiful is this people that he loves exceedingly."[46] The angels too acclaim when they see qualities of worthiness.[47] They come down the ladder to see and acclaim Jacob.[48] In *Otiyoth DeR. Akiba*:[49] "When the time for *Kedushah* arrives and the Holy One, Blessed is He, does not descend from His eminent height and dwell in the Merkabah, (the letters) approach one another and say: When will the Holy One, Blessed is He, descend... so that we will see the sight of the countenance of his face and acclaim him..."

Another term occasionally used in the complex of acclamation terms is מעיד. Because of the aspect of testimony, of bearing witness that the one who is a candidate for appointment or already has been appointed, is worthy of the appointment,[50] מעיד expresses the fact that he possesses the qualities that qualify one for office. "It is not seemly for a person to say concerning himself that he is good unless others testify concerning him"[51] and another text[52] reads: "*Beautiful, declared beautiful, the joy of the whole earth — Mount Zion* (Ps. 48:3). Why is it said *Beautiful, declared beautiful?* By this phrase the sons of Ḳoraḥ meant: Beautiful,

45 *Ibid.*, 33:1, 244.

46 *Seder Eliyahu Zuta*, ed. Friedman (Vienna, 1904), 35.

47 *Tosefta Sotah* 6:2; Mann, *The Bible*, I 55.

48 See the *Yelamdenu* text in *Batei Midrashoth*, ed. S.A. Wertheimer (Jerusalem, 1954), 156. See citation of R. Abraham Sabba's remark in n. 26; and *Yalkut* Psalms 2:11.

49 Ed. Wertheimer, 388.

50 Bearing witness and acclaiming are phases of the ceremony described in *The Statutes of the Apostles*, ed. G. Horner (London, 1904), 341.

51 *Midrash Tehillim*, ed. Buber, 118:6, 482. See *Piyyute Yannai* 258 and 126, 436.

52 *Ibid.*, 48:2, 274. Translation by W. G. Braude, *The Midrash on Psalms*, 460. See also *Heikhalot Rabbati* in *Batei Midrashot*, I 94.

because all men dcelare it beautiful, because there is none like it. Though Scripture declares of Tyre, *Thou, O Tyre, has said: I am of perfect beauty* (Ezek. 27:3), the words indicate only that the city of Tyre said this of herself, not that others said this of her... Not so of Zion. All men admit her beauty... *Is not this the city which men call the perfection of beauty* (Lam. 2:15)."[53] Pointing with the finger and using the formula זֶה[54] ("Is not *this* the city") emphasize the visible evidence of eligibility.

The Godfearing man is called upon to praise the virtues of a God he cannot see. The paradoxical situation stimulated Merkabah mysticism. Just as the letters wait to see God on the Merkabah so that they can praise Him, so the mystic's aim is to see the Divine Presence on the Merkabah. The climax of the experience is *Shiur Komah*, to acclaim His beauty in specific anatomical detail that reminds one of דודי צח ואדום on which it is modelled.[55]

Another term for "worthy" is הגון (אבגינוס εὐγενής) which brings us back to our bath-house thief who was described as a בן טובים. הגון covers the same range of meanings as ראוי[56] and נאה. Variant readings in *Vayyikra Rabba*[57] have בן הגון למלכות as the equivalent of בן ראוי למלכות. In *Sotah* (11a) Absalom is described: לא היה לו בן הגון למלכות "He did not have a son suitable for kingship."[58] These parallel the use of ראוי in such statements as Saul's[59], אין אני ראוי למלכות "I am not eligible for kingship," or concerning David:[60] זה ראוי להיות רועה על עמי ישראל "This one is worthy to be a shepherd of my people."

[53] Cf. *Shir Hashirim Rabba* 4:11, 55 top and R. David Luria's comment. See *Aboth DeR. Nathan* A 14, 58.

[54] See S. Lieberman, *Hellenism in Jewish Palestine* (New York, 1950), 15–16.

[55] See S. Lieberman, "Mishnath Shir Hashirim" in G. Scholem, *Jewish Gnosticism...*, 123.

[56] Cf. M. Zulay, "Researches in the Language of Yannai's Liturgical Poems," *Studies of the Research Institute for Hebrew Poetry in Jerusalem* (Jerusalem, 1945), VI, 213.

[57] Ed. Margulies, 12:5, 267.

[58] Cf. *Midrash Shemuel*, ed. Buber, 13:6, 85.

[59] *Midrash Tanḥuma*, ed. Buber, Vayyikra 4, p.4.

[60] *Midrash Tehillim*, ed. Buber, 78:21, 357, n. 151 reading from Rashi. Note *Shemoth Rabba* 2:2 רועה יפה a beautiful (good) shepherd.

In *Berakhoth* (55a)[61] we see הגון used in an interesting situation; the people are consulted concerning the appointment of Bezalel: אמר ר׳ יצחק אין מעמידין פרנס על הציבור אלא אם כן נמלכים בצבור שנא׳ ראו קרא ה׳ בשם בצלאל אמר לו הקב״ה למשה משה הגון עליך בצלאל אמר לו רבש״ע אם לפניך הגון לפני לא כל שכן אמר לו לך הימלך בהם בישראל... הלך ואמר להם לישראל הגון עליכם בצלאל אמרו לו אם לפני הקב״ה ולפניך הוא הגון לפנינו לא כל שכן "R. Isaac said: We must not appoint a leader over a community without first consulting it, as it says: *See, the Lord hath called by name Bezalel, the son of Uri* (Ex 35:30) The Holy one, Blessed is He, said to Moses: Do you consider Bezalel suitable? He replied: Sovereign of the Universe, if Thou thinkest him suitable, surely I must also! Said God to him: All the same go and consult them. He went and asked Israel: Do you consider Bezalel suitable? They replied: If the Holy One, Blessed is He, and you consider him suitable, surely we must!" The people are asked here to express their opinion, to advise, to consent, and to ratify.

A remarkable story of popular ratification[62] relates how Moses seats Aaron and asks the people if he is worthy and qualified for the priesthood and they shout the formula: הגון, הגון.

The bride is the measure of beauty and perfection. Sarah's beauty is like the bride's[63] A heavenly throne is compared to a bride's[64] Aaron is installed by Moses and he is like a bride.[65] Scholars are compared to brides and are acclaimed like brides.[66] But what if the bride herself — the paragon of beauty — is not beautiful? She must be made beautiful.

The Talmud [67] relates how Amram is persuaded to take Jochebed

[61] *Berakhoth* trans. M. Simon (London, 1948), 336. Cf. the medieval practice of consultation and acclamation by the community in F. Kern, *Kingship and Law in the Middle Ages*, 9, 12–13, 76, 187–194.

[62] See *Bamidbar Rabba*

[63] *Shir Hashirim Rabba* 2:14:8, 35.

[64] Gruenwald, 367.

[65] *Tanḥuma*, Ḳoraḥ, 3; J. Mann and I. Sonne, *The Bible*, II, 150.

[66] *Ketuboth* 17a; *Shir Hashirim Rabba* 4:11, 54.

[67] *Baba Bathra* 120; *Sotah* 12. Cf. the rejuvenation of Sarah related in *Baba Mezi'a* 87a where the smoothing of the flesh is an apt interpretation of היתה לי

back as his wife: מלמד שנולדו בה סימני נערות נתעדן הבשר נתפשטו הקמטין וחזר היופי למקומו ויקח ויחזור מיבעי ליה אמר רב יהודה בר זבידא מלמד שעשה לה מעשה לקוחין הושיבה באפריון ואהרון ומרים משוררים [68] לפניה ומלאכי השרת אומרים אם הבנים שמחה

"... marks of youth re-appeared on her. The flesh [of her body] was again smooth, the wrinkles [of old age] were straightened out and [her] beauty returned. [Instead of], *and he took* it should have read, 'and he took *again*'! R. Judah b. Zebida said: [This] teaches that he arranged for her a ceremonial of [a first] marriage, placing her in a [bridal] litter while Aaron and Miriam sang in her honor, and ministering angels recited: "*The joyful mother of children.*"[69]

The translation of לקוחין should be corrected. מעשה לקוחין here means "an acclamation ceremony." לקח functions like לבב.[70] It too means both, "to acclaim" and "to persuade", "to flatter" and "to induce". One midrash asserts: ואין קח אלא לשון פתוי " 'Take' can only mean 'to persuade'."[71] Another asserts: ואין לשון ויקח אלא לשון עילוי. "He 'took' can only mean he 'praised'."[72] Thus *Bereshith Rabba*[73] interprets *and the princes of Pharaoh saw her, and praised her to Pharaoh*; *and the woman was* taken *into Pharaoh's house* to mean that she was praised. These two meanings, acclamation and persuasion, are offered in two opposing explanation[74] of *And He took the man* (Genesis 2:15): "R. Judah: He declared him worthy ... R. Nehemiah says: He induced him."[75]

עדנה in Genesis 18:12. For Miriam's acclamation and rejuvenation see *Shemoth Rabba* 1:17.

[68] *Sotah* 12 has מרקדין לפניה. See R. Rabbinovicz, *Varia Lectiones to Baba Bathra, ad. loc.* 335.

[69] *Baba Bathra*, trans. I. Epstein (London, 1935), II, 491–492.

[70] See M. Zulay, "Researches...," 203. *Piyyute Yannai* 217.

[71] *Midrash Tanḥuma*, Ṣav 10. Cf. *Sifre on Deuteronomy* 1:15, 24.

[72] *Midrash Tanḥuma*, ed. Buber, Beḥukotai 5, III, 110.

[73] 40:15, 385. See Theodor's remark that the interpretation is based on the end of the verse 'and the woman was taken.'

[74] *Bereshith Rabba* 2:15, 148.

[75] Cf. *Pesikta DeR. Kahana*, ed. B. Mandelbaum, Shuva, 376. The first interpretation there of 'take' is flattery, persuasion; פתיתם אותי בסיני. The second: ...באו בעלי דברים refers to elevation and acclamation. For בוא as acclamation see *Bereshith Rabba* 84:16, 1019.

The two events, acclamation and restoration of beauty, are indissolubly connected. In order to be a bride and be acclaimed Jochebed had to be beautiful. I suggest, however, that the causal relation is ambiguous. Was Jochebed acclaimed worthy of being a bride because she became beautiful, or did she become beautiful because of the acclamation ceremony? In order to answer this question we will have to examine first another quality of the bath-house thief. He was described as a בעל קומה. An understanding of the relation of height and worthiness will enable us to answer the question we have posed about the bride and her beauty.

I return to the passage dealing with the well-born man who robbed clothes. He was described as בעל קומה, a man of stature.

In *Aboth DeR. Nathan*[76] in a list of seven qualities by which one righteous man is distinguished from another we find בחכמתו ובדעתו ובקומתו שנ׳ יתר מרעהו צדיק "by his wisdom, his understanding and his stature, as it is said, *one righteous man excels his friend*" (Proverbs 12:26).

Sifre[77] has a discussion of the epithets Cushite [Abyssinian woman, Numbers 12:1] and Cush [Abyssinian, *Psalm* 7:1], applying them to Zipporah and Saul. They are thus both characterized to indicate that they were extraordinary, she for her beauty and he for his stature, as it is said, *from his shoulders and upward he was higher than any of the people* (I Samuel 9:2).[78]

When Samuel is sent to anoint one of Jesse's sons he beholds Eliab and says: "Surely the Lord's anointed is before Him!" But the Lord said unto Samuel: "Look not on his countenance or on the height of his stature, because I have rejected him" (I Samuel 16:6–7). Apparently his height would qualify him under normal

[76] Ed. Schechter, ch. 3, 110.

[77] Ed. Friedmann, Beha'alotekha 99, 27a.

[78] Various combinations of qualities appear. Thus T.P. *Sotah* 1:8 (17:2) and *Midrash Shemuel* 7:14, 70, include "his conduct, his beauty, his extraordinary stature." *Sifre Zuta* 274; *Midrash Tehillim* 7:18, 71; and *Midrash Haggadol*, Bamidbar, 187 cite his conduct and beauty. T. B. *Moed Katan* 16b states simply that both were distinguished by their conduct. The tendency to interpret physical qualities in moral terms prevails in rabbinic literature.

circumstances. So R. Mani bar Patish explains, "In regard to all the other brothers it is written 'The Lord has not chosen this one,' but concerning Eliab it is written '.. and the Lord said to Samuel: Look not on his countenance or on the height of his stature, because I have rejected him.' Infer that originally he was worthy."[79]

Aggadath Bereshith"[80] comments on the verse "...he called Esau his big son..." (Genesis 27:1) with an anecdote about the parents who want their midget of a son to be enrolled in the army. The father praises him. ראה לבני מה בחור מה גבור מה בעל קומה אף אמו אמרה ראה מה בננו בעל קומה אמר להם בפניכם הוא גבור ובעל קומה איני יודע הרי העין אם יהא בו קומה מדדו ונמצא קטן ונפסל. "Look at my son: how young, how strong, how tall! His mother also said: How tall our son is! He (the recruiting officer) said: You consider him to be strong and tall but I am not sure. Here's the measuring-rod (Let's measure him and see) if he has the (required) height.[81] They measured and found him small and he was disqualified."[82]

Nebuchadnezzar was a dwarf who earned the contempt of all for his shortness. In *Pesikta DeRav Kahana*[83] he is called "The Babylonian midget." When he asks the Levites to play their instruments for him, they say: לא דיינו שהחרבנו את מקדשו אלא עכשיו אנו עומדים להקיש לפני הננס הזה "Is it not enough that we caused His Temple to be destroyed, that now we (are asked to) play before

[79] *Pesaḥim* 66b. Cf. R. Rabbinovicz, *Variae Lectiones* 197; *Yalkut* I Samuel 17:28, No. 126. See also *Sifre on Deuteronomy*, 30.

[80] Ed. Buber, 40:3, 82.

[81] Stature alone is not enough. A figure also has to be proportionate and the general appearance harmonious. See *Debarim Rabba*, ed. Lieberman, 32–33. See also the statement of R. Papa in *Bekhoroth* 45b; *The Tosefta*. ed. Lieberman, Berakhot 6:3; and *Tosefta Ki-fshutah*, 106, ואת הננס. In *Mo'ed Katan* 18a there is a description of a dwarfed, grotesquely shaped Pharaoh based on Daniel 4:14 "And setteth up over the lowest of men."

[82] See *Bereshith Rabba* 76:5, 900, where קטנתי is related to worthiness, כדיי. See also *Origenis Hexaplorum*, ed. F. Field, (Oxonii, 1875), Genesis 37:11, 48 where *indignus sum* is given for קטנתי. (In *Bereshith Rabbah* 46:3, ed. Theodor, 461 כדיי and אקסיוס are parallel). Cf. *Bereshith Rabbati*, ed. Albeck, 13, lines 15–16 ויגדל משה ויצא גדל לישב בישיבה שהיה זקן ויושב בישיבה. See also *Tanḥuma*, ed. Buber, Va'era 17, II 32, n. 150.

[83] Ed. Mandelbaum, 230.

this dwarf?"[84] *Midrash Tanḥuma*[85] relates how Nebuchadnezzar was embarrassed by his bodily incapacity: המליך אותו הקב"ה על כל העולם ולא היה שמח בחלקו שנאמר לא ישרה נפשו בו (חבקוק ב׳) והיה מביט בעצמו ומתבייש בפני הבריות ואומר אני מלך ולא ישרה נפשו בו למה שהיה קטן ככד "The Holy One, Blessed is He, made him king over the whole world but he was not happy with his lot, as it is said,'... his soul is not relaxed...' (Habakkut 2:4) and he would look at himself and, ashamed in the sight of men, he would say: 'I am a king?' and his soul was not relaxed. Why? Because he was small as a jug."

In *Seder Eliyahu*[86] the following story is told: אמרו עליו על נבוכדנצר הרשע אדם קצר בקומה היה כשהיה הולך ממדינה למדינה נתקבצו כל בני העיר ויצאו לקראתו היו משחקין זה עם זה ואמרו הזה ימלוך מסוף העולם ועד סופו שנאמר ראיך אליך ישגיחו. "It was told of Nebuchadnezzar: He was short of stature. When he would go from city to city all the inhabitants would assemble and go out to greet him. They would jest one to the other: 'Is this one going to rule the world from one end to the other? As it said: *They that see you look upon you...*" (Isaiah 14:16).

The midrashic argument runs thus: How do you expect to go up to heaven (*I will ascend to heaven...* [Isaiah 14:14])? A dwarf like you is not qualified to be a king, much less a god.

In *Midrash Tehillim*[87] there is a description of the wedding of a handsome man and an ugly woman: יש אדם בחור ותוארו נאה ואשתו מכוערת ושנואה נתונה בתוך אפריון דכפישה והעם אומרים מי הוא בעלה של זו והם אומרים זה הוא ורואין אותו בחור נאה והעם אומרים אבד הבחור בכפישה הזאת ואם כלה נאה היא ובעלה מכוער וקצור העם אומרים אבדה הכלה הזאת באיש הזה "There is one who is youthful, and his countenance comely, but whose wife is ungainly and repulsive, so that when she is carried in a litter, people ask: Who is the husband of that creature? And they are told: That man is. But upon seeing the handsome and young man, they say, This young man has thrown

[84] *Midrash Tehillim*, ed. Buber, 137:4, 524. Also *Pesikta Rabbati* 144.

[85] Terumah 4.

[86] Ed. Friedmann, ch. 29, 158. For Nebuchadnezzar as a qualified king see *Koheleth Rabba* 3:17; *Koheleth Zuta* 3:17.

[87] Ed. Buber, 24:1, 203.

himself away on that ungainly creature. If, however, the bride is comely, but the husband is ungainly and squat (short), people say: The bride has thrown herself away on that man."[88] In the *Sifre* passage Saul's height corresponded to Zipporah's beauty; here shortness in the man corresponds to ugliness in the woman.[89]

We have crossed the line from physical quality to qualification. The dwarf was not qualified for military service and the short groom is not eligible for marriage.

In *Bereshith Rabba*:[90] ותקרא אשה חכמה מן העיר... ויקרב אליה ותאמר האתה יואב אמרה שמך יואב לומר שאתה אב בישראל ואין אתה אלא קוצר "*Then cried a wise woman out of the city...and he came near unto her, and the women said 'Art thou Joab?'* (II Samuel 20: 16–17). She said: Your name is Joab, that is to say: You are a chief *(ab)*[91] in Israel but your are indeed short and not in accord with your name." She taunts Joab, stating that he is not worthy of his name, which is an epithet of worthiness. He is, on the contrary, short, not qualified.

In *Aggadath Bereshith*[92] there is an interesting variation on this passage: אמרה לו אתה הוא שהכתוב מקלסך יושב בשבת תחכמוני וגו׳ "She said to him: Are you the one whom Scripture acclaims *those who are seated in the seating of the wise*?" (II Samuel 23:8) *Tanḥuma*[93] and *Yalkut Shemuel*[94] have: האתה יואב אתה הוא חכם שהכתוב מקלסך יושב בשבת תחכמוני "*Are you Joab*, are you the sage whom Scripture acclaims... *Seated in the sitting of the wise*?"

[88] Trans. W.G. Braude, 336.

[89] See *Bereshith Rabba* 12:6, p. 102, where Adam, after sinning, is deprived of his beauty and his height. There too, as in *Pesikta DeR. Kahana* (cf. n. 111) there is a play on שנה = שנא, which, as in the story of the handsome bridegroom's ugly bride, means 'ugly'.

[90] 94:9, 1182. Ms. Vatican reads מיכן דהווה קצור. *Midrash Shemuel* 32:3, 140, reads קצור את ולית את לפום שמך. *Kohelet Zuta* 9:18.

[91] Cf. *Sifre on Deuteronomy*, ed. Finkelstein, 8; *Aboth De R. Nathan*, ed. Schechter, p. 19.

[92] Ed. Buber, 22:3, 45.

[93] Ed. Buber, Vayera 12, I 92.

[94] *Yalkut* on II Samuel, No. 152.

Tanḥuma[95] elsewhere explains this epithet to mean: אתה מוצא שיואב היה ראש סנהדרין שנאמר אלה שמות הגבורים אשר לדוד יושב בשבת תחכמוני "You find that Joab was the head of the Sanhedrin as it is said, *these are the names of the strong men of David, seated in the seating of the wise.*"

Rabbi Yoḥanan states:[96] אין מושיבין בסנהדרין אלא בעלי קומה ובעלי חכמה... "Only men of stature and wisdom... are appointed to the Sanhedrin." This passage points out again the qualification of height as well as showing that the seating of Joab meant appointment, in his case, as here, to the Sanhedrin. Shortness would disqualify him.

We have observed the function of quality in qualification for office. Now we can see how the process is transposed and attainment of office endows the holder with the necessary qualities. *Tanḥuma*[97] relates how David put on the royal armor worn by Saul. Even though Saul was very tall, the clothes fit David. וילבש שאול את דויד מדיו וכתיב בשאול משכמו ומעלה גבוה מכל העם כיון שהלבישו בגדיו וראה שעשויין לו מיד הכניס בו עיין רעה "...And it is written concerning Saul *from his shoulders and upward he was higher than any of the people* (I Sam. 9:2). As soon as he put his clothes on him and saw that they fit him, he became envious." The lesso of the story is: הא למדת שאפילו יהא אדם קצר ונתמנה מלך נעשה ארוך "From here you learn that even though a man be short, if he is appointed king he becomes tall."[98]

An investiture ceremony can be composed of rituals like anointment, coronation, vesting, seating, kissing, or such gestures of acclamation like singing, dancing, pointing and praising. Any one

[95] Ed. Buber, Debarim 3, v 2. See "Tanḥuma-Yelamdenu Fragments," ed. E.E. Urbach, in *Kobez Al Yad*, VI:1, 15.

[96] *Sanhedrin* 17a; *Menaḥot* 65.

[97] Emor 4.

[98] Our text discusses the qualifying effects of appointment on the *High* Priest as well. The effects of anointment on David are also mentioned. See *Yalkut Shimoni* (citing *Yelamdenu*) on Psalm 45:3, for the qualifying effects of anointing on the High Priest: "...if he was short he became tall, if he was black he became white, if his countenance was troubled, it became cheerful."

of these is enough to endow the candidate with the quality of worthiness. This is the paradox of appointment: When one attains office he is endowed with the necessary qualities. His deficiencies are made up by his induction. So Saul sees David assume the qualities of office in his sudden heightening. (Doeg the Edomite seeks to soothe Saul's anxieties with an argument that would disqualify David on grounds of his foreign lineage: א״ל דואג האדומי עד שאתה משאיל עליו אם הגון הוא למלכות אם לאו שאל עליו אם ראוי לבוא בקהל אם לאו "Doeg the Edomite said to Saul: Rather than ask whether or not he is fit for kingship ask whether or not he is fit to enter the Congregation").[99]

Amram Dare, a Samaritan poet of the fourth century, writes:[100]

וטובה אמר ירום נבי
וירבי נביה וישפר
ויקלע וימטי לערפלה
כיי מלבש בידי לבוש
מד לית מלך מלו מלבש

"And the Good says: 'Let my prophet be exalted. Let the prophet be great and let him be beautiful and let him grow and reach the heaven. Indeed he will be vested by me in garment that no king is worthy to wear." Here, the prophet is made beautiful and is heightened at the time he is vested with a heavenly robe.

A *Merkabah* text[101] describes how Metatron is raised to high rank and how he is immediately enlarged: הניח הקב״ה ידו עלי וברכני... ברכות ונתרוממתי ונגבהתי שיעור ארכו ורחבו של עולם "The Holy One, Blessed is He, placed his hand on me and blessed me...[102] and I was exalted and I was heightened the measure of the world's length and width."

[99] *Yebamoth* 76b.

[100] Z. Ben-Hayyim, *The Literary and Oral Tradition of Hebrew and Aramaic amongst the Samaritans* (Jerusalem, 1967), III, Part II, 54.

[101] Sh. Musayoff, p. י.

[102] See S. Lieberman, "Raymund Martini and his Alleged Forgeries," *Historica Judaica*, V:2 (October 1945), 99–100, for placing of the hand in the appointment of ordination. See also *Midrash Haggadol on Bamidbar*, ed. Z.M. Rabinowitz, p. 485, 1.14 and note; S. Ibn Virga, *Shevet Yehuda*, ed. A. Schochat, p. 115, 1.21.

Midrash Tehillim[103] has an interesting passage: ברכי נפשי את ה׳ ה׳ אלהי גדלת מאוד... עד שלא קילסו אותך הנביאים גדול היית משקילסו אותך הנביאים גדלת מאוד הוד והדר לבשת "*Bless the Lord, O my soul. O Lord, my God, you are very great*...You were great before the prophets acclaimed you, but since the prophets acclaimed You, You are very great, You are garbed in glory and majesty." Thus acclamation not only affirms what already exists, it also augments the worthy quality; it has an endowing function.

I would like for a moment to move outside the limits of the physical attributes we have been discussing and point out some other qualities that are granted to a candidate upon assuming office.

In *Midrash Mishle*[104] there is a text that describes Moses after he has given over his office to Joshua and became his disciple. He stands near Joshua unobserved: עמד על פתחו של יהושע קומתו כפופה ושתי ידיו כפופות "He stood at Joshua's entrance, his stature bent and his two hands folded." Buber notes the Turkish edition of the text which reads: בשעה שאמר יהושע ברוך אשר בחר בצדיקים ניטלו מסורות חכמה ממשה וניתנו ליהושע ולא היה משה יודע מה היה אומר יהושע "At the moment that Joshua said, 'Blessed is He who chose the righteous,' the traditions of wisdom were taken from Moses and given to Joshua and Moses did not understand what Joshua was saying." Joshua's first official act, his inaugural lecture, endows him with the virtue of wisdom.

A similar anecdote is told[105] of a Babylonian Rabbi, "Rabba pointed out this difficulty to R. Joseph for twenty two years and R. Joseph did not resolve it until he was appointed head (lit, 'sat at the head') of the academy and then he resolved it."

When Solomon is removed from his throne he loses his wisdom

[103] 104:4, 440. Cf. *Shemoth Rabba* 23:1 for a similar statement also transmitted by R. Berekhiah.

[104] Ed. Buber, ch. 14, 77. Cf. M. Zulay, *Piyyute Yannai*, 254 lines 10–15 where Joshua assumes his new qualites after Moses lays his hands on him. *Midrash Haggadol Devarim*, p. 50 speaks of the six crowns granted to Joshua in conjunction with מלא.

[105] *Baba Kama* 66b.

and his sanity. When he is restored and his seal is placed on his finger he returns to his former shape and beauty.[106]

R. Eleazar b. Azariah was to be appointed head of the academy when Rabban Gamaliel was deposed.[107] He had the qualities of wisdom, wealth, and ancestry, but was not qualified because of his youth. His wife said: 'You don't have white hair.' A miracle happened and eighteen rows of hair turn white so that he has the appearance of an elder who is seventy years old.

Sanhedrin (14a) discusses the endowing qualities of ordination. R. Zira avoided ordination, following R. Eleazar's advice, "Remain dark (unworthy)[108] and live." When he heard R. Eleazar's other statement, 'One who attains greatness has all his sins forgiven,' he sought to be ordained. When he was ordained they acclaimed, "No eye-paint, and no rouge and no dyeing and still a graceful gazelle." In this context, in contrast to *Ketuboth* (17a), the story is used to show that the acclamation part of the ordination ceremony imparted qualities that were not present before.[109]

In the light of this process of endowing, of appointment bestowing gifts of worthiness on the candidate, I would suggest that in the story of Amram taking back Jochebed, the Talmud is not only relating that Jochebed's beauty was restored, but in its full description of the מעשה לקוחין, the acclamation ceremony, it is telling us *how* it was restored.

Aboth DeR. Nathan[110] has a story concerning "Rabbi Tarfon who sat and taught his disciples when a bride passed. He ordered her to be brought into his house and instructed his mother and wife: Bathe her, anoint her, dress her up, and dance before her until she goes to her husband's house." Here too the dancing before

106 M. Higger, ed. *Halakhot Va-Agadot*, 86–87.

107 *Berakhoth* 27–28

108 See *Vayyikra Rabba*, 76. 578; *Baba Mezi'a* 84b.

109 Cf. T.P. *Bikkurim*, 3:3 (65:4). See J. Tixeront, *Holy Orders and Ordination*, trans. S.A. Raemers (St. Louis, Mo. and London, 1928), ch.4.

110 Ed. Schechter, ch.41, 133. Cf. *Bereshith Rabba* 18:1, 161; *Aboth DeR. Nathan*, 22.

the bride, like the other three acts, is intended to enhance her beauty.

The act of acclamation can endow a bride, scholar, king, or anyone in need of qualification with a worthy quality. Discerning the quality and gazing at it can, at the same time have another effect, endowing the viewer, the one who acclaims, with cherished virtues. Thus in *Pesikta DeR. Kahana*[111] there is a passage that speaks of Israel being endowed with a heavenly beauty at Mt. Sinai, but when they sin, they become ugly: כיון שעמדו ישראל על הר סיני ואמרו כל אשר דבר ה׳ נעשה ונשמע נתן להם מזיו שכינה של מעלן הדה היא דכתיב: ויצא לך שם בגויים ביפיך... וכיון שאמרו לאותו המעשה אלה אלהיך ישראל נעשו שונאים להקב״ה הד״ה דכתיב ועוז פניו ישונה — יסונה "When Israel stood at Mt. Sinai and said *All that the Lord speaks we shall do and hear*, he endowed them with the splendor of the Divine Presence from above, as Scripture states: *and your name shall go out among the peoples because of your beauty* (Ezekiel 16:14). But when they declared that object *this is your god, O Israel*, they became ugly to God as Scripture states: *and the boldness of his face is changed* — read: *is made ugly*."

A similar idea is found in a description[112] of the revelation at the Sea: מה יפית ומה נעמת אהבה בתענוגים ישראל יפים ונעימים עומדים על הים ורואין להקב״ה וכן הוא אומר וירא ישראל את היד הגדולה וכל זמן שישראל רואין להקב״ה הם יפים ונעימים "*How beautiful and how pleasant art thou, O love, for delights* (Song of Songs 7:7): Israel, beautiful and pleasant, standing at the Sea and beholding the Holy One, Blessed is He... whenever Israel sees the Holy One, Blessed is He, how beautiful and pleasant they are! They saw God at Sinai and they all became upright... they saw Him enter the Tent of Meeting and they became righteous... they saw Him at the sea and they became lilies..."

A text from *Bereshith Rabba*[113] provides a clue to still another

111 Ed. Mandelbaum, Parah, 67.

112 *Midrash Tehillim*, ch.69, 321; see also *Piyyute Yannai*, 151. Cf. Isaac's exemplary beauty, *Bereshith Rabba*, 60:14, 655; *Tanḥuma*, ed. Buber, 7, I 129; and n. 33 above.

113 41:3, 410. and parallel passages; also 55:6 and 59:5: נתיפיתה בתחתונים שנ׳ נשיא אלהים אתה בתוכנו.

acclamation-term for worthiness. After Abraham's victory over the four kings he returns כל השוו[114] (הוא עמק המלך)... אל עמק שוה אומות העולם וקצצו ארזים ועשו לו בימה גדולה[115] והושיבוהו למעלה ממנה והיו מקלסים לפניו ואומרים שמענו אדוני — נשיא אלהים אתה בתוכנו... אמרו לו מלך אתה עלינו, אלוה אתה עלינו אמר להם:[116] אל יחסר העולם מלכו, ואל יחסר אלוהו H. Freedman[117] translates: "*The Vale of Shaveh*, (*the Vale of the King*) all the peoples of the world became unanimous *(hushewu)*, felled cedars, erected a large dais for him (Abraham) and set him on top, while uttering praises before him, saying, '*Hear us, my Lord: thou art a prince of God among us: in the Choice*,' etc. (Gen. XXIII, 6). They said to him: Thou art king over us, thou art a god to us. But he replied: The world does not lack its king and the world does not lack its God." Abraham is seated and acclaimed as king, but he refuses the honor. To seat is to appoint להושיב. is a synecdoche for ordination and appointment. It appears frequently as a synonym of למנות.[118] In the Mishnah[119] we find ביום שהושיבו את ר׳ אלעזר בן עזריה בישיבה... R. Isaac comments: "And Ephron sat, that day he was appointed a general."[120] The Palestinian Talmud[121] uses ישיבה as a synonym of מינוי, ordination, in the remark בן אדם, בית ישראל יושבים על אדמתם הא כל ישיבה שלך לא יהא אלא על אדמתך "Ordination can only take place in your land." Another comment[122] interprets: "*How good*

114 See Ch. Yalon, *Pirqe Lashon* (Jerusalem, 1971), 214.

115 See Y.N. Epstein, *Mavo LeNusaḥ HaMishnah* (Jerusalem, 1964), 538.

116 Adam, too, declines this kind of appointment. See *Pirke DeR. Eliezer*, ed. Luria, ch. 11, 28a. Cf. important variations in *Yalkut HaMakhiri*, Psalm 93:5, 102. (Cf. *Midrash Tehillim*, 92:3, 404.) Philo, *On the Life of Moses*, 1 158 refers to Moses as θεσς και βασιλεύς. See E.E. Urbach, "Seridei Tanhuma-Yelamdenu" in *Kobez Al Yad*, VI part 1, 24 n. 13.

117 *Bereshith Rabba*, trans. H.Freedman, (London, 1961), 347.

118 See S. Lieberman, rev. of *Sifre*, ed. L. Finkelstein, *Kirjath Sepher*, xiv (1937), 331.

119 *Zebaḥim* 1:3; *Yadayim*, 4:2.

120 *Bereshith Rabba* 58:7, 625, See also Lot's appointment, *Ibid.*, 50:3, 519.

121 *Bikkurim* 3:3, 65. Cf. the seating of bishops in *The Statutes of the Apostles*, 342; J. Tixeront, *Holy Orders*, 237.

122 *Shir Hashirim Rabba; Yalkut Makhiri*, 133:4, 252.

and pleasant is the seating of brothers together to mean: How good are the appointments of Aaron and Moses to the High Priesthood and the Kingship." Amram Dare writes:[123] / ואתבה מרה על דרג מד ליית מלך מלו מתב "And His Lord seated him on a seat on which even a king is not worthy to sit." The Targum of Isaiah 1:26 takes ואשיבה as ואושיבה "I will appoint," and translates: ואמני ביך דייני קושטא. The seating of Abraham, then, is one phase of a ceremony of many formalized acts, gestures, and words, celebrating a person's worthiness.

The verse רבתי בגויים is illustrated by the following remark:[124] כל מקום שהיה ירושלמי הולך היו מציעין לו קתדרא ומושיבין אותו עליה לשמוע חכמתו... "Wherever a Jerusalemite went, a cathedra would be prepared for him and he would be seated on it in order to hear his wisdom." A story[125] of a child who is carried off to a far country and is rewarded for reading the book of Genesis for the king, relates: מיד עמד מכסאו והושיבו במקומו "He (the king) stood up from his throne and seated him in his place." In the description of Jochebed's acclamation ceremony, she is seated — הושיבה באפיריון. Since the angels sing אם הבנים שמחה we ought to supply the beginning of that verse מושיבי עקרת הבית as the underlying text for Amram's acclamatory act of הושיבה באפיריון. *Bereshith Rabba*[126] reports R. Ḥanina's statement על כל שבח ושבח שישראל משבחין להקב"ה משרה שכינתו עליהם מה טעם ואתה קדוש יושב תהילות ישראל "With every acclamation that Israel acclaims the Holy One, Blessed is He, He causes His Presence to dwell among them. How is this derived? *You are holy Who are* seated *by the acclamations of Israel.*"

Dancing, singing, kissing on the head, seating, and vesting are all parts of the ceremony. Sometimes, the whole sequence is described, sometimes only a part. The individual act can represent a whole

123 A.E.Cowley, ed., *The Samaritan Liturgy* (Oxford, 1909), I 38.

124 *Ekha Rabbati*, ed. Buber, ch.1, 46.

125 "Midrash Aseret Hadibberot," in A. Jellinek, ed., *Bet Ha-Midrasch*, 78.

126 48:7, 482. Theodor cites the reading על כל קילוס וקילוס. Cf. *Pesikta DeR. Kahana*, ed. Mandelbaum, 91.

series, and operate as the equivalent of any other act in the series. The following passage[127] illustrates how acclamation functions as appointment. The nations of the world promise Israel honors, titles, and positions: "Join us and we will appoint you governors, leaders and generals." But Israel spurns them: "And what can you do for us? Can you arrange such a dance for us as was provided for our father Jacob when he went out from the house of Laban?... or can you furnish for us such a dance as that which the Holy One, Blessed is He, will provide for the righteous in the time to come?.. The Holy One, Blessed is He, will in the time to come lead the dance among the righteous, as it says, *Mark ye well her ramparts—ḥelah* (Ps. XLVIII, 14), where it is written *ḥolah* (her dance); and they will point to him with the finger, as it says, *For this is God, our God, for ever and ever; He will guide us eternally ('almuth; ib.* 15): that is, like maidens (*'alamoth*), like dances of the righteous."[128].

We have tried to hint at the rich ceremonial context of the acclamation of Abraham and now we can analyze closer the nature of the popular sanction, השוו כל אומות העולם. M.P. Charlesworth has written, "The most important and compelling claims an emperor could make on his subjects was that of Merit... Here he would be tapping a familiar source — the idea of elcction by merit."[129] Of Augustus, Charlesworth writes, "...they had unanimously acclaimed him as father of his country... He was the person most worthy of his people's trust, he was truly *dignus*."[130] Worthiness was the ground on which an emperor was chosen to rule.

The Latin *dignus* and the Greek ἄξιός are the cries of acclamation by which the people confirmed the election of a bishop.[131] In the earliest sources describing the ordination of bishops the kiss of

[127] *Shir Hashirim Rabba*, 7:1,2, 70.

[128] *Midrash Rabbah*: *Song of Songs*, trans, M. Simon (London, 1961), pp. 276–277. See the heavenly dances before the enthroned Sabbath in passages collected in *Batei Midrashot*, I, 27, 369; II, 347.

[129] "*Pietas* and *Victoria*," .2. [130] *Ibid.*

[131] Cf. G. Horner, ed., *Statutes of the Apostles* (London, 1904), 144, 197–198, 218, 220 239, 274, 308.

peace is prescribed and the acclamation ἄξιός εστι "He is worthy." In the ordination ceremony of a bishop in Gaul[132] the people are first exhorted. "By the will of the Lord ...we with the testimony of the presbyters and of the whole clergy and with the advice of the citizens and of those assembled, believe that the renowned N. should be elected, a man honorable in his birth, as you know, exemplary in his demeanor, unblameable in religion... therefore dearly beloved brethren, acclaim this man, chosen by the testimony of good works, as most worthy (*dignissimum*) of the priesthood, crying out your praises together, and say: He is worthy (*Dignus est).*" Eusebius writes how the assembly shouts ἄξιός.[133] The same shout is used in many services of ordination.

In the *Revelation of John* there is a Merkabah-like description of the heavenly throne: "And when those beasts give glory and honor and thanks to him that sat on the throne, who liveth for ever and ever, the four and twenty elders fall down[134] before him that sat on the throne, and worship him that liveth for ever and ever, and cast down their crowns before the throne, saying, Thou art worthy, O Lord, to receive glory and honor and power..." (4:9–11). The Latin here for "worthy" is *dignus* and the Greek is ἄξιός. The Syriac is שוא: דשוא איתיך מריא ואלהא דילן הו קדישא למסב תשבוחתא ואיקרא וחילא. A few verses further, a strong angel asks: "Who is worthy to open the book and loose the seals... Thou art worthy..." (5:2,9). Again the Latin has *dignus* and the Greek ἄξιός and the Syriac: מנו איתוהי דשוא למפתח לכתבא... דשוא איתיך...

The Syriac text of the *Testament of Our Lord*[135] has a prayer for the ordination of a bishop. The prayer is finished and then the

[132] "Ordination Prayers of Gaul," in H.B. Porter, *The Ordination Prayers of the Ancient Western Church* (London, 1967), 41–42.

[133] Cited by Charlesworth, "*Pietas* and *Victoria*," 6.

[134] Self-abasement, falling on one's face and acclaiming, an oriental custom, is mentioned in *Eliyahu Zuta* 35; *Midrash Tehillim*, 18:7, 139; Sh. Musayoff, *Merkabah Shelemah*, 12. In this passage the angels also remove their crowns. Cf. E. J. Bickerman, "A Propos d'un Passage de Chares De Mytilene," in *La Parola del Passato* (Napoli, 1963), Fascicolo XCI, 241–255.

[135] I.E. Raḥmani, ed., *Testamentum Domini Nostri* (Mainz, 1899), 30, See also the *Vulgate* on Job 33:27.

following instructions are given: "And let the people say: Amen. And then let them cry out: *He is worthy, He is worthy, He is worthy.*" The Syriac reads: שוא שוא שוא.

Aramaic dictionaries[136] give שוא as "worthy." The word is frequent in the Samaritan liturgies published by Cowley[137] and Ben Hayyim.[138] *Shemoth Rabba*[139] characterizes Aaron: כך אהרן היה שוה לכל ישראל ועשאו הקב״ה כהן גדול. "Thus Aaron was considered worthy by all Israel and the Holy One Blessed is He, made him High Priest."

Our text, then, says: השוו כל אומות העולם "All of the nations acclaimed, all of the nations declared Abraham to be worthy." They recognized in him the merits a king and a god needs: they elected him.

The end of the passage can now be explained. When Abraham refuses the appointment he says: אל יחסר העולם מלכו ואל חסר אלוהו. The verbs are of the *pi'ēl* conjugation and mean to attribute deficiency" or "to cause deficiency," and "to disquality".

In *Aggadath Shir Hashirim*[140] there is an interpretation of *I am black, but comely* (Song of Songs 1:5): A king's daughter who has misbehaved goes out to work in the fields and the sun turns her skin black so that she seems ugly: התחילו הבריות מחסרות אותה מה היא אמרה להן אל תראוני שאני שחרחורת "... people began pointing out her deficiency. What did she say to them? *Do not look upon me that I am swarthy...*" מחסרות here is the opposite of praising. It means "to find deficient," "to attribute lack, want, emptiness of virtue." If חסר denotes lack of virtue, מלא denotes possession of virtue. *Aggadath Shir Hashirim*[141] has the comment: מה אתה רואה

136 E.g., R. Payne Smith, *Thesaurus Syriacus*, 4077.

137 A.E. Cowley, *The Samaritan Liturgy*, 38, 78. See Index, LXX.

138 Ben-Ḥayyim, III, part II, 48, 64, 98, 198, 232, 243 (lines 88, 90), 236, 240, 244, 259, 303. "Declaring worthy" is the meaning in נשוי כהלן, 69 line 23.

139 37:3. See M. Zulay, *Piyyute Yannai* (Berlin, 1938), 204, 214, 238, also 59, 106.

140 P. 15. See also *Shir Hashirim Zuta* 1:5 (p.6); *Pesikta Rabbati* 164a: 177b where חסרות is a play on נהרסות.

141 *Ibid.* See *Piyyute Yannai*, p. 341 for parallelism of תנווה and תמלא. See also the illuminating remarks of Professor L. Finkelstein on מלא and נוי, *Sifra*,

אהלי קדר מבחוץ נכנס אדם לתוכו הרי הוא מלא כל ברכה כך ישראל האומות מבזין עליהן ואין יודעות שהן מלאים מצוות... "Just as you see the tents of Kedar (black) on the outside and when one enters he finds it full of every blessing, so do the nations denigrate Israel, not knowing that they are full of good deeds..." *Midrash Shir Hashirim*[142] has: מה אהלי קדר כעורים מבחוץ ומלאים כל טוב מבפנים כך ישראל כעורים בין אומות העולם ומלאים מצוות כרמון בארץ ישראל "Just as the tents of Kedar are ugly on the outside and full of every good inside, so Israel is ugly among the nations and full of good deeds like a pomegranate in the Land of Israel." In *Vayyikra Rabba*[143] we find: בן זכר ראוי לנביאות וממולא בתורה. Yannai[144] writes: לא הספיקו למלאותו אנשי כבוד עד נתמלא משמים כבוד. *Aboth DeR. Nathan*[145] too has מלא as "worthy." ... ששה אלו נקראו מלאים הקב״ה נקרא מלא... יהושע נקרא מלא... כלב נקרא מלא... בצלאל נקרא מלא... אהליאב נקרא מלא... חירם נקרא מלא... "These six are termed 'worthy': The Holy One, Blessed is He..., Joshua..., Caleb..., Ahaliab..., Hiram..." A man who is full of virtue is worthy. In *Memar Marqah*[146] there is a description of Moses taking leave of Israel before his death. He looked at Eleazar, situated on his right. He kissed his face and said to him: "...You are exalted above the status of ordinary priesthood which you have inherited, and your actions will take place in the holy Sanctuary and you will be worthy of that." The Samaritan reads: ואת מלוא בכן. The Samaritan

1956, Introduction, p. 27 and cf. *Piyyute Yannai* p. 248 כרמל כליל. מלא in the sense of "mature," "fully developed" (*Ber. Rabba* 14:7) has ugliness as its opposite (See A. Marmorstein, *Midrash Avkir*, *Devir* I 131–132 and n. 89 above).

142 Ed. Greenhüt, 9. To be devoid of virtue makes a man a ריקא. See *Ḥagigah*, 14a, for the underlying image: ירהבו הנער בזקן אלו בני אדם שמנוערין מן המצוות ירהבו במי שממולא במצוות כרימון. For ריקא as a man who is without beauty see *Ta'anit* 20b. For ריקא as lack of qualification see *Batei Midrashoth* I 105: ריקא שמא מזרעו של מנשקי העגל אתה שאין אתה ראוי לראות במלך וכסאו.

143 12:5, 267, Mss. Oxford. For further references see M. Higger, *Minor Tractates*, 128, also 163.

144 *Piyyute Yannai*, p. 119; cf. the *Kedushta* liturgy attributed to Yosi b. Yosi, published by E. Fleischer, *Kobez Al Yad*, VII, 46:

145 Ed. Schechter, 122

146 Ed. and trans. by John Macdonald (Berlin, 1963), II, 121.

liturgy provides many examples of מלא as "worthy." We have already cited the lines about the garment that no king is fit to wear[147] מד לית מלך מלו מלבש and the seat on which no king is fit to sit[148] מד לית מלך מלו מתב. Amram Dare writes:[149] מן מלו משבח לך "He is worthy to praise you." Marqah writes:[150] דו מלו בה לגדלה "He is worthy of it because of his greatness," and[151] כיי מלו בפרקנה "He is worthy of redemption." Interesting is the use of מלא as a synonym of שוה in a poem [152] by Marqah: מן מלו אמשבתך / מן שוי אדיתלמד בך "Who is worthy to praise you / Who is worthy to learn from you."

Our text of the acclamation of Abraham also moves from quality to qualification. When Abraham says: אל יחסר העולם מלכו, he is saying, in effect: "Why do you regard me as שוה, worthy of, qualified, to be God and king? Is God disqualified? Is he חסר, is he no longer worthy?"

The next step in the sequence of acts covered by מלא is to be endowed with the gift, such as: ויהושע בן נון מלא רוח חכמה כי סמך משה את ידיו עליו "And Joshua the son of Nun was full (endowed) with the spirit of wisdom, for Moses had laid his hands upon him" (Deuteronomy 34:9). *Sifre*[153] remarks, "...full with the spirit of wisdom *because* Moses had laid his hands upon him." The term given to the whole inaugural ceremony is מלואים.

One more term for acclamation that has not, I think, been properly identified is לקרוא בשם which is akin to the acclamation of the *imperator* for which ancient authors do not use the term *acclamare* but *appalare*.[154] קריאה בשם becomes more than appointment to office: ראו קרא ה׳ בשם בצלאל בן אורי בן חור... וימלא אותו

147 Ben-Ḥayyim, 54.

148 Cowley, I, 38.

149 Ben-Ḥayyim, 102.

150 *Ibid*, 167.

151 *Ibid*, 240. See also 249, 303.

152 *Ibid*, 232.

153 Deuteronomy 34:9, No. 357. See n. 104 and the reading in *Midrash Haggadol:* למה זו מלאה יהושע בכל התורה.

154 H.S. Versnel, *Triumphus* (Leiden, 1970), 340 ff. See *Statutes*, ed., Horner. The ordination of bishops has a distinct phase of naming. See *Aboth* 5:8 and *Aboth DeR. Nathan* ch. 14, 58. מונה שבחן is the same as שמות קרא...

רוח אלהים... בחכמה ובתבונה ובדעת ובכל מלאכה "See, I have called by name Bezalel the son of Uri, the son of Hur, of the tribe of Judah; and I have filled him (= endowed him) with the spirit of God, in wisdom, and in understanding, and in knowledge, and all manner of workmanship..." (Ex. 31:2-3). It becomes, in the rabbinic sense, the acclamation, that enhances and endows a person with worthiness. Many midrashic comments on the Bezalel verse show the *appelatio* coloring of קרא בשם. Thus: ראו קרא ה׳ בשם בצלאל מזכירין ומניחין "*See the Lord has acclaimed Bezalel.* Some are praised and acclaimed."[155] Another passage[156] has an ingenious interpretation of the phrase (See, call *God* by name, i. e., acclaim God rather than Bezalel): ראו קרא ה׳ בשם משל לתלמידו של רופא שנתן רטיה על מכה אחת ונתרפאת והיו מקלסין אותו אמר להם רבו קלסו לי שלמדתיו אמר משה ראו קרא ה׳ בשם. "*See, the Lord has called by name.* A parable: a physician's disciple placed a compress on a wound and it was healed and they acclaimed him. His master said: "Acclaim me — I taught him!"

In the passage from *Berakhoth* in which God consults Moses, and Moses the people, to ask for their sanction, הגון is a description of *appelatio*.[157] In *Aggadath Bereshith*:[158] הייתי משתבח עד שלא נוצרת has another reading: ואני קודם שיצרתיך קראתי בשמך "...but I, before I created you, I acclaimed you."

In the *Genesis Apocryphon*[159] we find וקרית תמן בשם מרא עלמיא והללת לשם אלהא "I acclaimed God there and I praised the name of

[155] *Vayyikra Rabba*, 32:6, 350. See L. Blau, rev. of *The Relation of the Bible Translations of the Jews in Romance Languages to the Ancient Versions...*, by D.S. Blondheim. *J. Q. R.* (N.S.), XIX (1928), 168–175.

[156] *Shemoth Rabba*, 48:5. See *Yalkut Talmud Torah* on Numbers 1:16: ללמדך ששבח וגדולה ומעלה היה להם כשהקב״ה קראם בשמם ועל פיו נתמנו.

[157] Naming is distinct from bearing witness and from acclaiming in the ordination ceremony described in the *Statutes*. In such ceremonies the clergy usually bear witness and the people vote by acclamation.

[158] Ed. Buber, 62:4, 126, n.9. For the term used in reference to Aaron see *Piyyute Yannai*, 198.

[159] Column XXI line 2.

God." We can now savor the statement in *Yoma*:[160] בשמך יקראוך ובמקומך יושיבוך "You will be acclaimed, you will be appointed."

This preliminary study of terminology helps prepare us for a study of the rabbinic conception of appointment, and of ordination in particular.

[160] *Yoma* 38a.

GUSTAV LANDAUER IN HISTORICAL TRANSMISSIONS

by Ruth Link-Salinger (Hyman)

When, in 1919, Gustav Landauer, then forty-nine years old, found his death at the hands of over-agitated troops, most of his work had been written and published and his two-volume *Shakespeare*, comprising twenty-odd popular lectures, was conceptually ready to be printed. His printed corpus in 1919 contained his early novel and novellas: *Der Todesprediger*[1] and *Macht und Maechte*[2] (including "Lebendig tot" und "Arnold Himmelheber") dealing with subjects of love and regeneration; his early political and social tracts ("Flugschriften"); *An den Zuericher Kongress* (1893), *Ein Weg zur Befreiung der Arbeiterklasse* (1895), *Von Zuerich bis London* (1896); his two major essays[3] on true anarchism ("Die sind frei, die selbst keine Gewalt mehr ueben"); his philosophical *Skepsis und Mystik*,[4] an outgrowth of his collaboration with Fritz Mauthner on the latter's *Sprachkritik*; his definitive, mature studies on community, revolution, anarchism, and socialism, entitled *Die Revolution*[5] and *Aufruf zum Sozialismus*;[6] a volume of his essays previously published on politics, war and peace; *Rechenschaft*,[7] his many works of translation, including: Meister Eckhart's *Mystische Schriften*, Peter Kropotkin's *Landwirtschaft*, *Industrie und Handel*, his *Gegenseitige Hilfe*, and

1 Dresden and Leipzig (1893); Koeln (1923).

2 Berlin (1903); Koeln (1923).

3 Published in *Zukunft* 1895 and 1901; discussed by Martin Buber in *Die Zeit* (Vienna, 1904), "Gustav Landauer."

4 Berlin (1903); Koeln (1923).

5 Frankfurt (1907, 1919, 1923).

6 Berlin, (1911); Koeln, (1925).

7 Berlin, (1919) Koeln (1924).

Die Franzoesische Revolution; George Bernard Shaw's *Sozialismus fuer Millionaere*; Walt Whitman's *Der Wunderarzt* and Oscar Wilde's *Zwei Gespraeche von der Kunst, und vom Leben*; Landauer's two volume anthology of *Briefe aus der franzoesischen Revolution*; the translations of Tagore's *Das Postamt* and *Der Koenig der dunkeln Kammern*, Wilde's *Das Bildnis des Dorian Grey* and *Der Sozialismus und die Seele des Menschen* in which Landauer and his wife, the poetess Hedwig Lachmann Landauer, collaborated.

The corpus of his published works included hundreds of essays on politics, philosophy, social science, and literature, book reviews of well-known and little-known authors, appreciative translations of radical authors, among which those of Proudhon are the finest, polemical editorials and some open letters and rejoinders to editors and authors, identification of many of which will be made for the first time in my book.[8] Most of these essays and translations were published in *Der Sozialist* (both in "erste"[9] and "neue Folge"[10]) of the years 1892–99 as well as in Landauer's "own" or "third" *Sozialist*, which he virtually edited and wrote alone from 1909 to 1915. He was, however, a prolific and courted contributor to some fifty or sixty small journals, in which his fine style and sensitive translation found dedicated readers. The notes of many of his lectures have been preserved;[11] some abstracts of them are located in secret police archives, to which the writer has had access.[12] It can be stated unequivocally that the writer, the critic, the theoretician, the editor and essayist Gustav Landauer was well-known to devotés of the avant-garde and expressionist

[8] *Gustav Landauer: German Jewish Populist and Cosmopolitan.* Identification of Landauer's essays was aided by materials in "Mappe (Diversen)" in the Landauer "Nachlass" of the Institute of Social History in Amsterdam, Holland.

[9] 1892–95. [10] 1895–99.

[11] These are now in the Buber Archives in Jerusalem, Israel.

[12] The Ministry of the Interior of the German Democratic Republic granted access to the Secret Police files of the German Empire and the Prussian State, housed in the old royal domains in Sans Souci, Potsdam. Detailed acknowledgement is made regarding specific materials cited. Landauer's political activities were observed and carefully noted for most of his life.

journals of Wilhelminian Germany,[13] to the several thousand who were acquainted with the early radical *Sozialist* and to the later readers or subscribers to the more literary *Sozialist* penned by Landauer from 1909 to 1915. Though we do not have precise publishers' figures, the fact that most of Landauer's books went into two and some into three editions leads us to think that his literary as well as his political essays fulfilled an educational function for a small, but alert group of middle class as well as working men.

Landauer's role in the Bavarian Revolution of 1918–1919, in which he held various offices and in which he died, catapulted him to a limited national prominence in Germany, and gave rise to public expressions of both regrest and a restrained gloating, best expressed in the German term "Schadenfreude." The eulogies of his closest friends and associates such as the radical poet Erich Muehsam, the critic Julius Bab, the writer Auguste Hauschner, the philosophers Fritz Mauthner and Martin Buber spoken and published in 1919[15] are moving lines of deep pain and penetrating bitterness against a time and a fate of a man of the spirit,

[13] See Raabe, Paul, *Die Zeitschriften und Sammlungen des literarischen Expressionismus* (Stuttgart, 1964).

[14] StaatsArchiv Potsdam, Pr. Br. Rep. 30 Tit. 95 Sect. 4 1809 14870; *Der Sozialist*, I (1891–96), reports 10,000 issues of *Der Sozialist* printed for May Day 1892; reports on November 11, 1892: 1120 subscribers in Germany, total list 2725. StaatsArchiv Potsdam, Pr. Br. Rep. 30 Tit. 95 Sect. 4 1809 14873; *Der Sozialist*, IV; (1898–1900), police reports on August 22, 1898 that 2000–2500 issues of *Sozialist* are printed; in July 1899, that 1500 are printed and about 400 remain unsold. StaatsArchiv Potsdam, Pr. Br. Rep. 30 Tit. 95 Sect. 4 1809 14872; *Der Sozialist*, III (1895–98), police lists subscribers, among them the following foreign and domestic journals: *Die Hilfe*, Frankfurt; *Recht vor Allen*, Amsterdam; *Freidenker*, Milwaukee; *Vorbote*, Chicago; *Tageblatt*, San Francisco; San Francisco *Col.* (sic) *L'Action Soziale*, *Les Temps Nouveaux*, *La Revue Socialiste*, all in Paris; *Deutsch-Sozialdemokratische Lesebibliothek*, Paris; *La Debacle Sociale*, Belgium; *The Torch*, London; *The Firebrand*, Portland, Oregon; *Arbeiterstimme*, Zurich; *Ethische Kultur*, Freiburg; Most (?) Zeitungs Amt, Berlin.

[15] *Masken* (Halbmonatsschrift des Duesseldorfer Schauspielhaus), XIV (1918–19). Also: Julius Bab, *Gustav Landauer* (Berlin, 1919).

a martyr, an apostle, a Jesus-like figure, a maligned prophet and teacher, a mentor of the generation and a visionary and seer. In these early efforts to express great personal loss and bereavement, the natural emphasis is on the recollection of Landauer's personal charisma and dynamism, the originality of his task, the worth of his literary contributions, and the meaning of his tragic death. They are obviously not writings of analysis and critical evaluation of the corpus of Landauer's work and chosen tasks. The philosophical Fritz Mauthner, who had drawn the young Landauer close to his own journal *Deutschland*, had made him a collaborator in his work on *Sprachkritik*, and had encouraged his cousin, Auguste Hauschner, to support him generously, hoping to write a book on Landauer.[16] However, the task of doing justice to the young friend was evidently too great an emotional burden. The historian Hans Kohn, whose *Martin Buber*[17] offers wealths of insight on this period, similarly wanted to write about Gustav Landauer but his hopes were not to be realized. The historic eulogizer of Gustav Landauer was to be instead his literary executor, Martin Buber, who spent a decade reissuing all of Landauer's major writings, while gathering two additional anthologies of essays: *Der werdende Mensch* and *Beginnen*, and (in collaboration with Ina Britschgi-Schimmer) *Gustav Landauer: Sein Lebensgang in Briefen*,[18] a two volume edition of Landauer's letters. Buber originally projected a volume of Landauer's speeches during the Revolution of 1918–19, but he was never able to

[16] *Masken* (Halbmonatsschrift des Duesseldorfer Schauspielhauses), XIV (1918–19), 301.

[17] Hans Kohn, *Martin Buber: Sein Werk und Seine Zeit* (Hellerau, 1930).

[18] *Gustav Landauer: Sein Lebensgang in Briefen*, unter Mitwirkung von Ina Britschgi-Schimmer herausgegehen von Martin Buber (Frankfurt am Main, 1929). The exact wording of the title page was a matter of great concern to Buber. Plans for the two volumes are especially detailed in the following letters exchanged by Buber and Britschgi-Schimmer, which are found in "Mappe Het 684" of the Buber Archives in Jerusalem: December 14, 1925, March 3, 1926, November 30, 1927, November 6, 1928.

secure the stenographic reports of these.[19] Subsequent researches, including my own, have located some, but never enough to warrant a volume. Buber also wrote of his intention to issue a volume of

[19] For a detailed exchange of letters on Buber's plans for the Landauer "Nachlass," see *Weltbuehne*, December 7 and 21, 1926. Plans for an anthology of letters were made early. See notice in *Der Syndikalist*, December 12, 1921 placed by Martin Buber requesting letters. Similar request appeared December 12, 1921 *Muenchener Morgenpost*.

The exchange is significant. December 7, 1926 under entry "MAX POLITZER." Sie schreiben uns: "Martin Buber hat im Jahre 1920 Gustav Landauers Aufsaetze gesammelt und auch versprochen, noch zwei Baende ueber den Sozialismus und andere politische Fragen sowie Landauers Nachlass herauszugeben. Seitdem sind sechs Jahre vergangen. Seit sechs Jahren waechst in uns und unter uns die zentrale Idee Gustav Landauers, dass nichts mit wissenschaftlicher Notwendigkeit entstehen muss; dass nichts anfaengt, bevor wir anfangen; das es gilt, die Beziehungen der Menschen, nicht die Institutionen zu aendern. Sechs Jahre lang haben wir vergebens gewartet, haben Ereignis werden sehen, was Landauer prophezeit hat, haben eintreten sehen, wovor er gewarnt hat. Warum enthaelt uns Buber vor, was wir so noetig brauchen? Warum muessen wir uns den alten, schwer erreichbaren Baenden des "Sozialisten" zusammensuchen? Bei aller Verehrung, die wir fuer Buber hegen, glauben wir ihn fragen zu duerfen, ob er der Ansicht ist, dass wir heute der wirkenden Macht, der ordnenden und erziehenden Gewalt eines Geistes wie Gustav Landauer entraten koennen." Sie wuenschen, dass wir Ihre Frage, wenn sie uns begruendet erscheint, an Martin Buber weiterleiten und ihn um eine oeffentliche Antwort bitten. Was wir also hiermit tun. A long reply to the editor and to Max Politzer followed on December 21, 1926 under entry MARTIN BUBER. Sie schreiben mir: "Herr Max Politzer weist darauf hin, dass ich im Vorwort der von mir aus Gustav Landauers Nachlass herausgegebenen Aufsatzsammlung." "Der werdende Mensch" (bei Kiepenheuer, 1921) versprochen haette, "noch zwei Baende ueber den Sozialismus und andere politische Fragen sowie Landauers Nachlass herauszugeben." So wars nicht. Ich hatte geschrieben; "der Darlegung ueber den Aufbau des Sozialismus und der Aeusserungen auf politischen Fragen," denn was Landauer Sozialismus nannte, war fuer ihn, wie er immer wieder betonte, keine politische Frage, sondern eine des Lebensaufbaus; also waren auch in der Veroeffentlichung der hinterlassenen Schriften Sozialismus und politische Aktion zu trennen und je einem in sich geschlossenen Band zuzuteilen. Dem handschriftlichen Nachlass war in dem Band "Der werdende Mensch." Einiges entnommen, aus ihm habe ich das zweibaendige Shakespeare-Werk herausgegeben (bei Ruetten & Loenig), aus ihm die Uebersetzung von Whitman's "Gesaengen und Inschriften"

(bei Kurt Wolff), ihn fuer die Ergaenzung der Neuausgabe von "Skepsis und Mystik" (bei Marcan in Koeln) und fuer die Textverbesserung der Neuausgabe von "Meister Eckharts mystische Schriften" (bei Karl Schnabel) herangezogen. Ich habe bisher 7 Baende herausgegeben, in denen Teile von Landauers handschriftlichen Nachlass abgedruckt oder verwertet sind. Herr Politzer schreibt weiter; "Seitdem sind sechs Jahre vergangen ... sechs Jahre haben wir vergebens gewartet." Wer is dieser Wir? Wer statt zu warten sich umtat, etwa indem er sich in eine Buchhandlung begab, besitzt seit drei Jahren den einen der beiden von mir versprochenen Aufsatzbaende, betitelt: "Beginnen, Aufsaetze ueber Sozialismus." Dieses Buch ist bei Marcan in Koeln erschienen, also in demselben Verlag, in dem ich die Neuausgaben von Landauers" Aufruf zum Sozialismus," von seiner "Rechenschaft," von seinen beiden erzaehlenden Werken und von "Skepsis und Mystik" habe erscheinen lassen. Dass der andere von mir angekuendigte Band, die Aufsaetze und Reden zur politischen Aktion umfassend, nicht ebenfalls veroeffentlich ist, liegt hauptsaechlich daran, dass ich noch immer die Hoffnung nicht aufgegeben habe, die verschollenen Stenogramme von Reden Landauers aus der letzten Zeit seines Lebens aufzufinden. (Bisher haber ich nur die in Protokollen und Zeitungen gedruckten). Daneben liegt es auch in den gegenwaertigen Verhaeltnissen im deutschen Buchverlag. Und das bedeutet: am deutschen Publikum! Herr Politzer fragt: "Warum enthaelt uns Buber vor, was wir so noetig brauchen?" Wenn man doch diese Uns mobilisieren koennte, dass sie sich nehmen was sie brauchen! Haette das deutsche Publikum die (in normaler Hoehe ausgegebene) Erstauflage des Buchs "Der werdende Mensch" aufgekauft, so wuerde jetzt eine erheblich erweiterte Neuausgabe vorliegen, da ich inzwischen — grossenteils dank dem Such — und Sammeleifer von Max Kronstein, Landauers Schwiegersohn — vielles wertvolle Material hinzubekommen habe. Hoffentlich braucht sie nicht mehr lange auf sich warten lassen. Ich erwaehne noch, dass die mit mannigfaltigen Schwierigkeiten verknuepfte Sammlung von Landauers Briefen, von denen ich unter Mitwirkung von Ina Britschgi-Schimmer eine Auswahl in zwei Baenden herauszugeben gedenke, nunmehr so weit gediehen ist, dass mit der Drucklegung in einigen Monaten begonnen werden kann. Briefe und Tagebuecher aus der Jugend, die einen ergaenzenden Band bilden sollen, stellt Max Kronstein zusammen. Auch eine Publikation von Landauers Proudhon-Uebersetzungen wird vorbereitet."

No complete stenographic reports of Landauer's political speeches in the Bavarian Revolution have been found anywhere, but we have more excerpts than Buber had in 1926. A German "Jugendband" would do for the "Young Landauer" what was accomplished for the "Young Marx" with the publication of his early manuscripts. Telephone conversation with Dr. Kronstein in Fall 1973 has, however, yielded the information that he burned some Landauer materials on the accession of the Nazis to power, in an effort to shield friends of Landauer.

Landauer's translations of Proudhon. This well-intentioned goal is also still outstanding and awaits a dedicated intellectual historian. Dr. Max Kronstein,[20] Landauer's son-in-law and one of the few present living members of the family, who had assisted Buber in recalling hundreds of letters to and from the deceased Landauer for inclusion in *Gustav Landauer: Sein Lebensgang in Briefen*, was working on a "Jugendband" of Landauer's writings, which was to include his diaries, his early articles in *Der Sozialist* 1892–99, and some of the letters published before the turn of the century, which mark the dividing line between the experiences of the young and the mature Gustav Landauer, but was never completed. This task also remains to be done. Much of the material has been lost to posterity, but the present work has gone far (for the first time) in identifying hundreds of essays and notes which the young Landauer wrote in the first and second *Sozialist* in the years prior to 1899 and in gathering — with great historical care — the most complete list on translations and appreciation of Landauer's early writings in German, Spanish, Dutch, Swedish, Yiddish, Hebrew, and French ever attempted to date.[21] It was Buber's self-imposed task — his last great act of friendship — which drove him to perpetuate the friend in the latter's writings and to draw a last portrait of him from his own letters. In the work, Buber paid careful heed to Landauer's request to exercise caution in the publication of letters containing materials and expressions which would cause embarrassment to his survivors. Buber was cautious in the selection of materials which were of a personal or of a political nature. The letters, therefore do not deal with Landauer before the age of twenty-nine, nor do they give us any insight into the extraordinarily fruitful period of his youth, his literary unfolding, his first marriage, his early and highly respected political activism in the world socialist and anarchist movement, his religious stirrings and philosophical striving, his original

[20] See "Mappen Het 385 and 684" Buber Archives. See also Buber letter August 11, 1925 and Kronstein letter September 23, 1925.

[21] *Appendix* of forthcoming book.

editorial work and political activism, for both of which he paid dearly with repeated imprisonment. The letters similarly reflect relationships and friendships with circles which Buber found significant when he gathered the letters in the mid- and late-nineteen twenties. Most of the radical circles with which Landauer maintained contact are not included in the two volumes. It was left to others to perpetuate the socialist and anarchist friend.

Though Buber himself never wrote a full-length study or appreciation of the beloved friend and the historical essay[22] outlined by Ina Britschgi-Schimmer was never published, Zionist-Socialist circles, whose ideology was potently influenced by Buber's teaching, increasingly appropriated Landauer's social and political heritage.

The Zionistische Volkssozialistische Partei (Hapoel Hazair),[23] active in 1919–20 in Palestine and Central Europe, and predominantly in Berlin and Prague, taught a program of Jewish rejuvenation and renaissance built upon community, self-labor, religiosity, and spritual nationalism.[24] Headed by the well-known figures of A. D. Gordon and Viktor Chaim Arlosoroff, this group perpetuated much of the populism and anti-statism which Landauer taught and which Buber subsequently translated into the "Volkssozialismus" of post-World War I Palestine. The 1920 Juniheft of *Die Arbeit*, the official organ of Hapoel Hazair published in Berlin, is entitled *Gustav Landauer Gedenkheft*. Besides republishing some of Landauer's essays which dealt with the Jewish experience and with the need for communal land settlements, this *Gedenkheft*, for the first time, carried a "programmatic" Landauer whom Buber tried to immortalize. In a short essay, entitled "Der heimliche Fuehrer" and based on a eulogy which Buber had delivered at the Prague World Conference of Hapoel Hazair, there occurred these forceful remarks:

[22] For outline of proposed article see Buber-Britschgi-Schimmer correspondence, November 2, 1928 in Buber Archives, "Mappe Het 684."

[23] Adolf Boehm, *Die zionistische Bewegung* (Berlin, 1935), 538–39.

[24] Walter Laqueur, *A History of Zionism* (New York, 1972). See Chapter 6 especially; a "miniature monograph" of intellectual history, tracing interrelationship of European and Zionist cultural and political currents.

> Gustav Landauer was a predestined leader of the new Judaism...
>
> Landauer's idea was our idea.
>
> He had often heard that Something New had arisen in Judaism; he had heard about it from me, but it was not an immediate presence for him...[25]
>
> ... for the very week in which Gustav Landauer had entered the government, for that very week a conference of Jewish-socialist youth had been convened in Munich by Landauer and myself.

In the short appreciation of the then-still-Zionist[26] poet and writer, Arnold Zweig, in the *Gedenkheft*, there is the first hint that even Landauer's own generation was able to sense the uniqueness of Landauer's revolution:

> He, Gustav Landauer, was the only true revolutionary during that time, because he knew that one had — firstly and lastly — to restrain oneself from using force; in order to be truly revolutionary, one had to start here and now...
>
> So he perished, Gustav Landauer, a heroic and a tragic figure, true to the Jews who gave him birth and to the Germans, whom he loved and who killed him.

[25] "Er hat oft davon gehoert, dass es ein Neues im Judentum gibt; er hat durch mich oft davon gehoert, aber es war nicht unmittelbare Gegenwart fuer ihn ..."

[26] Arnold Zweig, deeply disturbed by European anti-semitism turned to Jewish mysticism and Chassidism and supported movements for Jewish agrarian socialism in the national homeland. His strongly developed Marxism brought him into conflict with Jewish survivalism and he later went into exile in the German Democratic Republic. His essay "Gustav Landauer zum Gedaechtnis" written in 1949 bears traces of this discomfort in its treatment of Landauer's anti-Marxism. See his *Ueber Schriftsteller* (Berlin and Weimar, 1967).

In the probing, searching contribution of the then-still-socialist-Zionist historian[27] Hans Kohn, there is this evaluation:

> At the very moment in which the German Revolution seemed a mere possibility — which was without a doubt true only in Munich — he had to be actively with it, leading, fighting, suffering and dying. Evading force and noise, dirt and disagreement — and yet taking on the heavy yoke in the name of that which is greater than the purity of the individual.[28]

A more structured appreciation of the person and the work of Gustav Landauer from a Zionist perspective appeared in 1921–22 in Martin Buber's periodical *Der Jude* from the pen of Ernst Simon[29] entitled "Der werdende Mensch[30] und der werdende Jude." This fifteen page essay went beyond sentimental appreciation in its attempt to place Landauer as a German Dichter, as a follower of Proudhon, as a pathbreaker akin to Buber in opening new vistas in mythological and linguistic thinking, as a political utopian and as a social rejuvenator. It probed Landauer's root-

[27] Hans Kohn, *Buerger vieler Welten: Ein Leben im Zeitalter der Weltrevolution* (Frauenfeld, 1965). The Buber-Britschgi-Schimmer Correspondence also carries reference to Kohn's interest in writing a Landauer biography — a wish that was never realized.

[28] "In dem Augenblick deutsche Revolution auch nur moeglich, schien — was zweifellos nur in Muenchen der Fall war — musste er taetig mit dabei sein, fuehrend, kaempfend, leidend und sterbend. Gewalt und Laerm, Schmutz und Zank verabscheuend und doch, im Nahmen dessen, das da groesser ist als die Reinheit des Einzelnen, ihr hartes Joch auf sich nehmend. Weil er das getan hat, weil er sein Inneres ueberwunden, weil er seine Reinheit, weil er die Schlummernden Moeglichkeiten Welterloesung preisgegeben hat, gruessen wir in ihm den Heros, den Erfueller der Sehnsuechte Beethovenscher Symphonien."

[29] Presently Professor Emeritus of Education, The Hebrew University of Jerusalem. For relationship to Martin Buber see Grete Schaeder, *Martin Buber: Hebraeischer Humanismus* (Goettingen, 1966), and Grete Schaeder, *Martin Buber: Briefwechsel aus sieben Jahrzehnten* (1897–1918), (Heidelberg, 1972), "Geleitwort" by Ernst Simon.

[30] Obvious relation to Landauer's own collection of essays intended.

edness in German culture[31] as well as his Jewish attachments.[32] Both of these are related to Landauer's tragic fate[33] and this, in turn, to Landauer's inability to enter wholeheartedly into a national Jewish renewal in the emerging Zionist movement.[34] It raised a series of suggestive questions and indicated lines of thought to be pursued in future researches on Landauer's work, but it failed to see the uniqueness of Landauer's path as German and Jew.

This unique interplay between Jewish moralism and Germanic culture was more perceptively captured in a Hebrew essay, entitled "Gustav Landauer," published in 1923–24 by the philosopher Simon Rawidowicz in Warsaw.[35] He celebrated Landauer as the great synthesizer and creative intuitionist,[36] "who saw the past and the future, himself and the whole world,[37] whose unique personality and whose uniquely luminous, classical style

31 "Mein Deutschtum und mein Judentum tun einander nichts zuleid und vieles zulieb — er wollte von keinem 'Entweder-Oder' hoeren und glaubte bei einem 'Und-Und' bleiben zu koennen ..."

32 "Er starb im fremden Volke und auf dem Boden fremden Geistes und Leibes." It would be important to point out that Landauer himself never felt this estrangement of which Simon speaks.

33 "... sein Schicksal war Irrtum und nicht Erfuellung, es war nicht tragisch, obwohl es traurig war." And again: "Er uebertrug juedische Innbrunst und juedisches Tempo des Lebens und der Wandlung auf langsamere und schwerfaelligere Menschen. An diesem Zwiespalt ist sein Werk zerbrochen."

34 "Gustav Landauer ist gerade deshalb gestorben, weil er den Zionismus nicht in seiner lebendigen Schwere sah, weil er an ihn die lichte Forderung stellte, Maerchenwelt und Wahn zu sein. Einmal hat er es sich zu leicht gemacht —und fuer diesen einen Irrtum ist er gestorben."

35 I am indebted greatly to Professor Benjamin Ravid of Brandeis University, son of the philosopher, for calling attention to this essay, published in *Ha-Tkufah* XIX: and to Dr. Menachem Schmelzer, Librarian of the Jewish Theological Seminary of America in New York, for making available a xerox of this article for translation and citation. Translations from this article, as all translations of quotations from other languages, are original.

36 "Haya ish-synthesa, ish ha-intuitia ha-yotseret ..."

37 "... she-l'oro haya roeh et he-avar v'et he-atid, et atsmo v'et ha-olam kulo. Din prat lo k'din k'lal, din adam k'din olam."

found no peer or equal in his generation.[38] In a faithless generation, in a period torn by doubt... Landauer again called out to Man.[39] He called out, because he believed in the power of 'The Call.'[40] He called out to the man who was organically a part of society; he called out to Man: because he had a fundamental belief in Man and his regenerative powers." Rawidowicz saw Landauer as a poet and a fighter.[41] He singled out Landauer's *Sozialist*, the translations of Oscar Wilde, the transmission of Peter Kropotkin to the Western reader, and the unique reading of Shakespeare in his lectures and his essays[42] as Landauer's great literary contributions to German and European culture. The fighter, the revolutionary Landauer, was manifest in his conception of the cleansing of spirit that came with great social upheavals and which Landauer hoped would bring a true Germanic renewal in the Bavarian Revolution of 1919. Rawidowicz related Landauer's early distance from the Jewish experience in the years in which Landauer was caught up in the overriding concern with the German poor and the enslaved masses. Under Buber's tutelage, Landauer was brought closer to Jewish peoplehood and aspirations, to the point at which he saw his way clear to calling a conference of Socialist-Zionist leaders to Munich in 1919. Rawidowicz noted a parallel to the personality

[38] "... zo ha-pashtut, pashtut ha-lashon ubehirut ha-maḥshavah, hashava l'khol nefesh, zo ha-azilut v'hod mal'khut ha-maḥshavah she-al kol hegeh v'al kol niv ... Mi b'dabbarei Germania yishveh lo b'khol?"

[39] "Bdor lo-emunah bo, b-tkufah akhulat s'fekot ... hees Landauer likro shuv la-adam."

[40] ... v'kore le-ḥayim ha-dashim, kore la-adam lashuv li'mekor-ha-ḥayim."

[41] "Shne ye'sodot b'nafsho, sh'nayim sh'hem eḥad: shirah umilḥamah." Also: "shirat ha-ḥayim umilḥemet ha-ḥayim — eḥad hen": "The poetry of Life and the fight for Life are one and the same." Also: "Roeh hu ba-revolutsia et haratson ha-ḥai, ha-poel...": "He sees the Revolution as living working will."

[42] Landauer thought of Shakespeare as the greatest of all Socialists; cited by Rawidowicz: "Hazehu Shakespeare? Shakespeare kazeh, Shakespeare 'Sozalis-ton' od lo haya ba-olam."

and outlook of Moses Hess of the previous century, who also sought a synthesis of Socialism and Nationalism. In his sacrificial death Landauer, the lonely fighter, was caught up in the suffering of the common man of the Munich Revolution. "With Landauer's murder, Western Socialist Prophecy came to an end.[43] The great seer has vanished."[44] In Rawidowicz the modern reader senses a contemporary who understood how uniquely Landauer was wedded to Jewish Diaspora ethics and to German humanist "Dichtung," how uniquely the harbinger of "Geist" was able to sacrifice himself in the cause of revolutionary activism.

A similiar clean, clear reading of the various intellectual contributions of Landauer as well as of the harmonious symbiosis of his European roots and Jewish inspirations is found in the Yiddish introduction, entitled "Gustav Landauer: Der Mentsch, der Sozialist, der Id" which one of the translators, H. Franck, prefaced to his translation of Landauer's *Aufruf zum Sozialismus* in 1921.[45] "Gustav Landauer, as Moses Hess, belongs to that type of Jewish Socialists, who understands the true greatness of Historical Judaism as a great culture. The contribution of these socialists lies in the fact that they proved the possibility of a free and thinking Jew's being able to live in the spirit of populism without being crushed (in the expression) of his own autonomous spirit."[46] He belonged at once to the forward-looking new European awakening

[43] "K'shenirtsaḥ Landauer, paskah ha-n'vuah ha-sotsialistit ha-maaravit."

[44] "Ha-ḥozeh ha-gadol eynenu." In similar vein: "Semel l'dorot umoreh derekh l'doro": "A symbol for the generations (to come) and a trail-blazer for his own generation."

[45] *Oyfruf tsum sozialismus* (Berlin, 1921). (Iyberssetzt fun deutsch durch H. Franck un B. Rosenthal, mit an eynfiyrung iyn Gustav Landauer's leben un schaffung fun H. Franck.) See also Dr. Herman Franck. *Anarchoszialistische yiden un bavegungen bey yiden* (Bialistok, 1951) (Paris, Tel Aviv).

[46] "Gustav Landauer gehert, wiy Moses Hess, tsu jenem miyn yidishe sozialisten, velcher farstet diy emese groys fun dem historishen identum-der groyser kultur — oyftu fun diy dosige sozialisten beshet in dem, vos zey hoben beviyzen diy meglichkeit far a freyen un denkenden iyden tsu leben in geist fun folk und darbey nit seyn unterdrickt in dem eygenem individuelen geyst."

which had been brought about by the French Revolution and participated, at the same time, in the perpetuation of the age-old "categorical-revolutionary" thought-world of the Jewish prophets.[47] Landauer's calls to renewal of spirit and of freedom, the twin ideas of his philosophy, characterized his writing in all the many fields which harbored his original and creative thought: Political Economy and Sociology, Literary Criticism and Philosophy, Philology and History, Art and Biology. His formulation of Humanitarian Socialism came to his generation like a new religion, organic and natural in its thinking. The followers were few, but those who were committed followed like apostles of a new faith. The broad masses of active Socialists did not know his work; but for those who did — he remained a literateur, an art-critic, and an intellectual. "He fell, a victim of the civil war of German Social-Democracy, in which the Political Revolution found its terrible end in Germany."[48] Though for nearly thirty years he consistently fought this Social-democracy, paradoxically he found his own end in close connection with this political movement with which he consciously associated himself at the end of his life in the Bavarian Revolution. His fight was an unending quest for love, cooperation, and justice. His conception of socialism was the synthesis between inner conscience and outer (external) conditions of humane, creative social life.

The most significant Buberian in the Buber-influenced transmission of Landauer was Martin Buber himself. An early, 1904, appreciation of Landauer's work published in the Viennese *Die Zeit*, celebrated Landauer's anarchical spirit and skeptical, individualist style: the drive to destroy in order to rebuild. Buber perceptively caught at this early date the paradox which many others were later to delineate more succinctly, namely the radicalism in political and philosophical outlook coupled with a more con-

[47] The humanizing factors of social life are human speech, social mores and customs, and art.

[48] "Gustav Landauer is gefalen a korban in'm tragishen bruder-kamf fun der deitscher sozial-demokratie, mit welchem s'hat zich a-zoy shoyderlich farendigt diy politische revolutsye in deitschland."

servative, tradition-bound aestheticism in the literary pursuits. Buber predicted that Landauer's development would later incline in the direction of a freer conception of "Kunst," to the point at which one would in a future period be able to discuss Landauer as "Gustav Landauer or the Anarchist." It is interesting to note that although the anarchist and socialist movements often saw Landauer as "the anarchist" or "the socialist" or the "socialist philosopher," Buber himself was never to write a full appreciation of Landauer's total quest. The 1949 *Paths in Utopia*,[49] which dealt with modern utopian socialists, is an adequate and true reading of Landauer, but does not begin to suggest to the reader the synthetic and definitive appreciation of the friendship which Buber showed for Landauer. It must, however, be noted that, indeed, the paradox of a radical and destroying critique of the social order was to go hand-in-hand with an aesthetic elitism in art and literature to Landauer's dying day. It is this paradox and the complexities of conception which follow from it, which make analysis and portraiture of Landauer and his work at the same time exciting and frustrating. As Buber understood early, Landauer did not then, nor later, emerge as a consistent anarchist and negator of the existing order in all of its traditions. Buber as early as 1904 pointed out the extraordinary sensitivity with which Landauer wrote about human relationships: love and friendship.[50]

Many of those who were later to review the anthologies of Landauer's letters would remark about this ability to address friends and colleagues in true mutuality and deep affection. All of those who had cause to write about Landauer's relationship to his second wife, Hedwig Lachmann-Landauer, the poetess and translator, treated with admiration and a certain German "Wehmut," this same "to and fro" of two harmonious spirits, this coming

[49] First published in English by Routledge and Kegan Paul in London.

[50] "Landauer's hoechste Meisterschaft ist seine feine heimlich klangvolle Art, das Zueinander und Ineinander zweier Menschen darzustellen. Was von einem zum andern an Ungesagtem und Unsagbarem zieht, was an stillem Rausch und gluehendstem Herzenslied die goldenem Momente mit Ewigkeit fuellt..."

together in true spiritual harmony of two devoted souls. Landauer himself was capable of communion even as he tried to reach out to the masses in an effort to have them build communities.

Essays and eulogies which Buber later wrote about Landauer evoke disappointment and seem slight. The 1918–19 *Masken* carried the romantic but critical "Landauer and the Revolution." reprinted in the Tel Aviv 1919 20 issue of *Ha-adamah*, in which Buber clearly took "political leave" of his friend for participating in the Munich Revolution. In 1929 Buber wrote a philosophical-theological piece entitled "The Holy Way," which he dedicated to Landauer in a memorial volume, marking the tenth anniversary of his death, edited by Professors Hugo Bergmann and Hans Kohn.[51] "Reminiscences of a Death," were also published in 1929 in German in the educational journal, *Das werdende Zeitalter*[52] and in Hebrew in the Labor-Zionist, Tel-Aviv journal *Hapoel Hazair*.[53] The 1953 collection of essays written by Buber between 1909 and 1953 also contains this essay.[54] Its most noteworthy, sermon-like sentence is the cryptic, "Landauer fought in the Revolution against the Revolution for the sake of the Revolution." More thoughtfully, but equally unanalytically, the essay concluded with this observation: "The Revolution will not thank him, he will be thanked by those who fight like him, and perhaps some day by for those sake the fight is conducted." It is not quite clear to the reader whether Buber considered himself among the fighters, among those for whom the fight is being waged, or whether indeed in either group.

It is clear from telegrams which were sent to appeal to the government on behalf of Landauer and from preparations which

[51] "Derekh Hakodesh," *L'zikhro shel Gustav Landauer* (Hozaat Hapoel Hazair).

[52] Eine Monatsschrift fuer Erneuerung der Erziehung. This edition (May-June 1929) carried appreciations and excerpts from Landauer's writings pertaining to education, especially communally-funded private schools.

[53] "L'zekher mot eḥad."

[54] "Erinnerungen an einen Tod," *Hinweise* (Zuerich).

were made by Buber[55] more than two weeks before Landauer died, that the deepest affection and concern must have motivated Buber, who became executor of Landauer's estate, and who served as a true mentor to the daughters who were orphaned by the death of their father.[56] Yet the objective reader must note the reserved style, the great distance, the more-than-objective and often casual assessments which Buber's recollections and summary position, indicate. By contrast, Landauer who also was fairly careful not to overpraise Buber's literary gifts and place in German scholarship,[57] did — from time to time — review for himself and posterity the influence which Buber had on him and the intellectual debt which he had or felt.[58]

[55] A letter from Martin Buber to Auguste Hauschner, dated March 15, 1919 included in Martin Beradt and Lotte Bloch-Zavrel, *Briefe an Auguste Hauschner* (Berlin, 1929), 184: "Liebe Frau Hauschner, Eine Aktion ist, wie ich Ihnen gleichzeitig telegrafiere, in diesem Augenblick nicht moeglich, weil die Situation noch nicht geklaert ist und wir daher nicht eindeutig genug formulieren koennten, was wir fordern. Sie muesste auch, solange der Kampf noch in irgendeiner Form fortdauert, voellig unwirksam bleiben. Degegen muessen wir fuer den Augenblick, wo ein oeffentlicher Appell etwa notwendig sein wird, ihn schon jetzt vorbereiten. Zu diesem Zweck soll sich sogleich aus dem Freundeskreis ein Ausschuss bilden, der sich an die in Betracht kommenden Persoenlichkeiten Deutschlands und Deutsch-Oesterreichs mit dem Ersuchen wendet, ihre Namen unter einen etwa notwendigen Appell setzen zu duerfen. Diesem Ausschuss sollten etwa angehoeren: Sie, ich, Dehmel, Einstein, Dumont, Mauthner, Mombert, Sussman (A telegram was sent, but it arrived too late).

[56] Buber was much concerned that the income from the books would be the girls' only income. Lengthy legal actions followed the assassination of Landauer on behalf of monetary claims which the orphaned children may have had against the state or the state of Bavaria in light of the fact that their father had presumably been manhandled and murdered without authorization and without military orders to do so. A factfinding commission was also appointed, but I could find no record of monetary claims ever having been paid out. Dr. Max Kronstein reported in personal conversation (phone) that Buber maintained close contacts with Landauer's daughters for many years after the latter's death.

[57] See Landauer's review, "Die Legende des Baalschem," *Das Literarische Echo* (1910). Also G. Landauer, "Martin Buber," *Neue Blaetter* (1913).

[58] Undated handwritten # 141, Buber Archives, Mappe 13/5, Ein paar

In the many books and essays which Buber penned during and after Landauer's lifetime, there are no hints or expressed statements of indebtedness or mutual influence or records of fruitful interchanges. Although, the men wrote often and regularly, and were members of the same organizations (Neue Freie Volksbuehne, Die Freie Gemeinschaft, Der Forte Kreis, Der Sozialistische Bund) the "Lieber Buber" and "Lieber Landauer" was never changed to "Lieber Martin" or "Lieber Gustav". To the very end, the formal German "Sie" was never updated to the more intimate "Du" in a relationship of friendship which spanned a quarter-century. The lengthy memorial volume which the General Federation of Israeli Labor put out in 1939 in tribute to the memory of Gustav Landauer, which contained all three of Buber's previously published eulogies (and which evidently did not even merit a special and fresh contribution) makes no mention in any of its essays by any author of the many points of contact which Buber and Landauer had. It is curious how author after author places Landauer with sensitivity and imagination into the framework of European Literaturkritik, Political Economy, the History of Socialism, and above all — into Jewish National-Utopianism. Yet not a one even hesitates to investigate the close affinities in the interests and the ideologies of the man who bequeathed Landauer to Jewish Utopianism and the "hidden leader" who was so bequeathed to posterity. How different one reads today the short essays of reminiscence, recollection, and haunting soul-searching which accompany the collections of republished essays with which Professor Gershom Scholem slowly brings back the memory of his beloved friend Dr. Walter Benjamin to posterity. This effort

Worte des Dankes an Martin Buber, der seinen Geschichten des Rabbi Nachman sein Buch 'Die Legende des Baalschem' hat nachfolgen lassen. Als ich ein studierender Juengling war, geschah mir das grosse Erlebnis, dass ich in der Losgeloestheit und Wurzellosigkeit, die man gewoehnlich Radikalismus nennt, und dem geistigen Hunger des Proletariats ein neues Kulturelement fand, das mir vorher ganz unbekannt gebleiben war, etwas Fremdes zwar, das aber Keime neuen Volkstums trug, in denen meine Sehnsucht, wenigstens, wennschon nicht meine Natur aufzugehen begehrte..."

coming to major fruition within two decades after Benjamin's death shows a much greater personal involvement and acknowledged cross-fertilization of the two "Jugendfreunde" and their works, than the two previously discussed.[59] Though it would not be fruitful to probe Buber's motives too deeply, it is necessary to be fair and to acknowledge that it has been far easier politically for Gershom Scholem to perpetuate the work of Walter Benjamin in the nineteen-sixties than it would have been for Martin Buber to relate openly and intimately to Landauerian influences in the late Weimar and early Nazi periods. Still, one would have wished that at least the nineteen-fifties might have brought up a fresh assessment and evaluation of Landauer under Buber's tutelage and paternalistic patronage. To the extent to which Buber did not contribute this insight and this interest do the books on Landauer in those years suffer in yielding only partial insights into the totality of Landauer's work and importance.[60] We deal with reminiscences of reminiscences and fragmented essays. Other transmissions perpetuated the political Gustav Landauer.

The first of these political biographies was a not-so-small volume written in 1920 in Swedish in a series called "Revolutionens Foerkaempar," by the former President of the German Anarchist-

[59] See Gershom Scholem, "Walter Benjamin" in *Ueber Walter Benjamin* (Frankfurt-am-Main, 1968). Also Gershom Scholem, "Nachwort" in Walter Benjamin, *Berliner Chronik* (Frankfurt-am-Main, 1970). For a scholarly assessment of the intellectual affinities between Scholem and Benjamin from different perspectives, see Hannah Arendt, "Reflections," *The New Yorker*, (October 19, 1968) and Barukh Kurzweil, *B'maavak al ar-khe ha-yahadut* (Jerusalem, 1969), 123–25; 201–03; 212–20. I am indebted to Dr. Judith Berlin Lieberman, Dean of the Shulamith School for Girls in New York, for calling my attention to the Kurzweil work and to Professor David Halivni Weiss of the Jewish Theological Seminary of America, for making his personal copy available to me.

[60] Doctor Paul Flohr of the Hebrew University has recently touched upon affinities between Buber's work and that of his contemporaries. See Alexander Altmann "Leo Baeck and the Jewish Mystical Tradition" (Leo Baeck Memorial Lecture No. 17) (New York, 1973), p. 24 footnote 28.

Syndikalist Union, Augustin Souchy.[61] This volume entitled *Gustav Landauer: Revolutions Filosof*[62] was, interestingly enough, never translated and made accessible in any other European language, even though Mr. Souchy is fluent in German and to this day expresses himself with ease and with distinct linguistic ability. In the series, Mr. Souchy also contributed a study on American Anarchism,[63] which includes studies on the lives of libertarians such as Louise Michel, P. J. Proudhon, William Godwin, Johann Most, Alexander Herzen, Robert Owen and Enrico Maletesta. Souchy's study, which encompasses 151 pages, was the first attempt to write a chronological account of Landauer's life and writings. Souchy[64] was a young man at the time at which Landauer's ideas had been well-formed, yet the then-young man had the benefit of personal association with Landauer. A skilled worker, Augustin Souchy later contributed a number of monographs on subjects of interest to radicals. His study of Landauer, however, relied largely on the latter's life and writings. It is significant, because it is the only study we have which came clear out of the labor movement and the text of which related the corpus of Landauer's work to the events of his life.

Souchy used an article which Landauer had written in 1913 on the occasion of Kaiser Wilhelm's twenty-fifth anniversary in office, to introduce the world in which the young Landauer had been reared and educated.[65] Then he focused on the definitive influences of Landauer's sojourn in Zuerich, from 1890-91, and his studies in philosophy, world literature and the history of art. Souchy dated Landauer's creativity as a writer to those years. He is also the only biographer of Landauer who, at this very early part of Landauer's creativity, saw a paradoxical influence on the young

61 I had the good fortune to interview Mr. Souchy in his home in Munich in August 1972.

62 Published in Stockholm by Axel Holmstroems Foerlag.

63 *Anarkistmartyerna i Chicago.*

64 He is now in his mid-eighties.

65 "Vor fuenfundzwanzig Jahren."

Landauer: Schopenhauerian pessimism and Bergsonian vitalism.[66] In the Berlin years which follow, from 1892 on, Souchy correctly singled out the influence of Benedikt Friedlaender, a close follower of Eugen Duehring. Influenced by Friedlaender, Landauer entered the circle of "Die Jungen,"[67] radical socialists like Bruno Wille,

[66] Souchy, 18–19, 28.

[67] A grant from the Memorial Foundation for Jewish Culture enabled me to accept an invitation from the Ministry of the Interior of the German Democratic Republic to consult the archives of the Prussian Secret Police now being kept in the Staatsarchiv Merseburg and the Staatsarchiv Potsdam. The Archiv-direktor, Dr. Falck, kindly made available the records of *Der Sozialist* as kept by the Secret Police of the Ministry of the Interior. *Pr. Br. Rep.* 30 *Tit* 95 *Sect.* 4 1487 and *Pr. Br. Rep.* 30 *Tit.* 94 *Lit. S* 1689 # 13272, # Vol. 1 has a most authoritative essay on "Die Bewegung der sozialdemokratischen Jungen." This section bases itself on material published in the German Social-Democratic journal *Vorwaerts*, especially the issue of October 21, 1891, as well as material published by Landauer in *Der Sozialist* in 1893. It is a detailed report on the early history of the German Social-Democratic party which is difficult to find in secondary literature. It traces the break between "die Jungen" and the main-line part to the Erfurt Party Congress of October 20, 1891 in which Bebel used the Socialist Exclusion Law ("Sozialistengesetz") against his own colleagues in the movement, who considered themselves "revolutionary Social-Democrats." The police records list as members of this faction Vollmar, Wille, Kampfmeyer, Paul Ernst, Schwabe, Auerbach, Wildberger, and Baginski. These wanted to agitate for the freedom of the proletariat without the party discipline of the mass party, without a centralized leadership, without participation in German constitutionalism. They negated the Bebelian tight organization with tight party discipline. They called for a separate "Verein," separate party journals, and a purely revolutionary party, stressing economic mass-action, making the workers masters of the means of production. The "Jungen" were particularly strong in Berlin and in 1890 Bebel had to fight very hard to unseat the Jungen editors of the *Magdeburger Volksstimme* and the *Saechsische Arbeiterzeitung*. The party congress in Erfurt in 1891 sounded the significant parole of Bebel which was to characterize the German Social-Democratic political actions program for the whole of its future and which was to indicate the permanent dissatisfaction which Landauer was to have with it: "Eroberung der politischen Macht ist das erste und das Hauptziel." The Marxist *Geschichte der deutschen Arbeiterbewegung* (Berlin, 1965), I, 161–64 suggests that the significance of the removal of the "Jungen" lies in Bebel's "Durchsetzung des Marxismus." According to the *Berlin Boersen Courier* of November 8, 1891 the "Jungen," having found themselves in un-

Wilhelm Boelsche, and Wilhelm Spohr, who actively propagated a free, anti-parliamentarian, anarchist-syndicalist group which was

bridgeable opposition, constituted themselves the "Verein unabhaengiger Sozialisten," in a social hall, to which were admitted only card-carrying Socialists. In the presence of 1500 people, with no women present, this splinter group was founded. The "Jungen" and the free anarchists entered, and periodically also controlled the "Neue Freie Volksbuehne,"the meetings of which gave them an opportunity to gain members and co-workers for their libertarian theater but also to missionize for their particularistic political interests in German Socialism. The police records about Landauer are very specific but paradoxical as they are recorded in *Pr. Br. Rep. Tit. 94 Lit. S 1689, Vol. 2.* The report on P. # 33 described the internal editorial dissatisfactions which Landauer provoked by closing articles with "Hoch die Anarchie" and with citing philosophical, anarchist literature. He is criticized by his colleagues for regarding the paper as his own "Eigentum" rather than as a party-organ. Police report P. # 54 of two months later, however, told a somewhat different story, listing Landauer definitely as belonging in the "Jungen "and not the anarchist faction; as having been delegated by the "Jungen" as representing their faction at the Zuerich Socialist Congress of 1893 ("Arbeiterkongress") at which the radical socialists, once more on order of Bebel, were hounded out of the Congress. The police correctly concluded that the winning of a mandate from what was an open "Volksversammlung," a manner in which the "Jungen" always constituted themselves to demonstrate their emphasis on spontaneity, showed that Landauer indeed enjoyed the confidence of most of the Berlin "Jungen" despite his conflicts in the journal leadership. The police singled out a very important early essay which Landauer wrote for the January 2, 1893 issue of *Der Sozialist* entitled "Zum Program der Opposition." Stressing anti-parliamentarianism and mass economic action, Landauer called for radical opposition to the monopoly of capitalists. He writes that the Social-Democrats want political power for the masses, whereas "die Jungen" want economic power. They stand clearly for opposition against statist and clerical institutions, and against all inherited ethical and legal conceptions ("Rechstvorstellungen"). They "... betrachten den Sozialismus als eine neue grosse Weltanschauung, die einen Untergang der himmlischen und irdischen Goetter, eine wahre Goetterdaemmerung herbeifuehren soll." It is important here to note the strong language, recalling Wagner, Spengler, and Nietzsche, and to remind readers again, that Landauer was only twenty-three years old when he wrote of this conception of socialism as a virtual "Human Rebirth." Souchy in his *Gustav Landauer* also used this type of language about his friend and mentor. On p. 4 he wrote: "Vad var detta foer en roest, vad var denne foer ein maenniska? En oevermaenniska, en profet?" ("A superman [or as Walter Kaufmann would have had it "an overman"] or a prophet?").

to interest him in writing for the first *Der Sozialist*.[68] Also cited are middle-class salon discussions in Berlin and the activities around the "Neue Freie Volksbuehne" in the year 1892. At the age of only twenty-two, Landauer had well laid out the path he felt he had to follow, and toward which he felt a missionary "calling."[69] The association with Fritz Mauthner and linguistic analysis dated from this period. Landauer's confrontation with Bebel in the 1893 Congress of the Socialist Movement followed. The year 1895 is cited by Souchy as significant for the publication of Landauer's brochure, *Ein Weg zur Befreiung der Arbeiterklassen*. The year 1897 is significant for its debates and fights among the staff members of the *Sozialist* regarding the literary style and choice of literary material to be published. Landauer having been thought a "highbrow" and middle-class literateur, caused problems.[70]

Souchy divided Landauer's philosophy into a negative and a positive part.[71] The negative part was his scepticism: his reliance on the atheistic, sceptical paths outlined by Mauthner and followed by Landauer in his own *Skepsis und Mystik*.[72] The more positive

[68] Landauer himself had not quite overcome (and never was to overcome) the philosophical content of anti-parliamentarism and anti-politicism. See Souchy, p. 19: "Landauer bekaenner sig haer framfoer allt till antiparliamentarismen och alltsa till antipolitiken."

[69] Souchy, p. 51: "Landauer aer alltsa revolutionaer av princip." See also reference pp. 26–27 to Landauer's use of Schiller about himself: "Es liegt nicht draussen, da sucht es der Tor/Es liegt in Dir, du bringst es ewig hervor." Landauer also relied on Goethe to draw affinities. See Souchy citation p. 24: "So musst du sein, dir kannst du nicht entfliehn, so sagten schon Sibyllen und Propheten; / Und keine Zeit und keine Macht zerstueckelt gepraegte Form, die lebend sich entwickelt."

[70] Souchy, p. 30 on, also *supra* n. 1.

[71] Souchy, p. 38 on.

[72] This period saw close affinities between radical, individualistic skepticism and mystical speculation. For analogies to other traditions, see Gershom Scholem, *On the Kabbalah and its Symbolism* (New York, 1965), esp. Chapter 1. For a contemporary definition of "Scepticism" as it might have applied to Mauthner and Landauer see Richard Popkin, *The History of Scepticism* (New York, 1964). For the antecedents of radical mysticism to which Landauer

part was his anarchism and his reliance on the role of the "artist" (der Dichter), a very special German conception of the high moral and aesthetic function of the artist, following Goethe, Schiller, and many German romantics, in addition to Landauer's own conception of the "calling" of such folk-writers as Shakespeare. The period also saw Rembrandt as a similar folk-artist, inspiring and educating multitudes.[73] Souchy saw Landauer in the free, individualistic, anarchist tradition of Godwin, Proudhon, Stirner, and Bakunin.[74] The convergence of utopia and revolution occurrs at this point and in explanation, Souchy relied heavily on Landauer's own, *Die Revolution*.[75]

Max Nordau, the German-Jewish Jeremiah of the 1890's (of the fin-de-siècle) described the period between 1890 and 1900 as follows: "The disposition of the times is curiously confused, a compound of feverish restlessness and blunted discouragement, of fearful presage and hand-dog denunciation. The prevalent feeling is that of imminent perdition and extinction. Fin-de-siècle is at once confession and complaint. The old northern faith contained the fearsome doctrine of the Dusk of the Gods."[76] This mood is not however entirely correct historically speaking. There is another reading. "The Eighteen Nineties were so tolerant of novelty in art and ideas that it would seem as though the declining century wished to make amends for several decades of intellectual and artistic monotony. It may indeed be something

was heir see Norman Cohn, *The Pursuit of the Millenium: Revolutionary Millenarians and Mystical Anarchists of the Middle Ages* (New York, 1961). For related definitions of Mysticism, see Evelyn Underhill, *Mysticism* (New York, 1965). For a seminal treatment of mysticism and its relationship to true science and logic, see Bertrand Russell, *Mysticism and Logic* (New York, 1971).

[73] See Fritz Stern, "Introduction" in his *The Politics of Cultural Despair: A Study in the Rise of the Germanic Ideology* (New York, 1965). Stern significantly begins with the quotation from Charles Péguy "Tout commence en mystique et tout finit en politique" which not only describes the styles of the Right on which he concentrates, but also those of the Left such as Landauer.

[74] Souchy, p. 45–48.

[75] Souchy, p. 45 on.

[76] Holbrook Jackson, *The Eighteen Nineties* (New York, 1966), p. 18.

more than coincidence that placed this decade at the close of a century, and fin-de-siècle may have been at one and the same time a swan-song and a death-bed repentance."[77] The mental activity, the searching for social service and a fuller communal life, the quickening of imagination and questioning of accepted values were intellectual signs that many were looking inward and they rebelling against fearful inequality, were against the established order. E. J. Hobsbawm has recently reminded us that the very voluntarism and primitiveness of theory that characterized many anarchists and libertarians before the first World War was their very asset.[78] Their revolution would come because they wanted it to come; now; instantly.[79] Commitment, public action, seeing the human condition in its totality and writing from the perspective of sincere authenticity are the correct mental positions to take.[80] As the young Buber once correctly put it, "We are the revolution." Men of the calibre of Buber and Landauer were prepared to turn themselves into the living revolution by a concerted program of "copting out." Herbert Marcuse has called this political pose "the liberating function of negation."

The belief that individuals could lead happy, enlightened, autonomous lives, though not a monopoly of individualist anarchism, had its high point in the pre-1914 world in which Landauer wrote and taught. This individualism meant "putting anarchist ideas immediately into practice and not waiting for society to change."[81] In a seminal article, James Joll has characterized this position as "Anarchism between Communism and Individualism."[82] Joll writes that the new concept of individualism

[77] P. Jackson, Chapters 1, 2, and 3. Also H. Stuart Hughes, *Consciousness and Society* (New York, 1958), Chapter 2. And Gerhard Masur, *Prophets of Yesterday* (New York, 1961).

[78] E. J. Hobsbawm, *Revolutionaries* (New York, 1973), see Chapter 9.

[79] Note here Theodor Herzl on Zionism: "If you *will* it, it is no legend."

[80] David Caute, *The Illusion: An Essay on Politics, Theater and the Novel* (New York, 1971).

[81] Roderick Kedward, *The Anarchists* (London, 1971), 14.

[82] The writer records a personal debt to Professor Joll for a long and scholarly session in London in 1972 in which Professor Joll made numerous

in anarchist-socialism comes from two main sources: from the reaction against the disciplined and dogmatic German Social-democratic mass party of the 1890's and from the Nietzschean criticism of bourgeois society.[83] As has been indicated here, Joll also finds the "Jungen" to be key elements in attempting to radicalize the main-stream socialist tradition of Europe. Except for occasional references, they have not yet found their true historian. With their emphasis on voluntarism, the spontaneous economic strike, loose "Buende," "Vereine," cooperatives, and "Communes," the "Jungen" and their co-frères — the syndicalist-anarchists — had the problems of non-totalitarian revolution, of egalitarian non-proletarian rule, of party or movement authority. The Revolution of 1905 in Russia was to catapult some of these issues into prominence.[84] To the extent to which any kind of "populism" was an educative, humanitarian, "go-to-the-people" movement, it had to face the issues of change and revolution, of violence and pacifistic sentiment. Though often having common concerns with Marxists and raising economic issues and political considerations, which ran parallel to Marx's and Engel's battles against alienation and proletarian powerlessness, on the whole, the "Jungen" and the Anarchists travelled socialist roads which had been more closely trod by the anti-Marxist Duehring, Proudhon, and the later French Syndicalists.[85] To the extent to which the young Landauer raised these issues, to the extent to which he was

suggestions for this work, which he encouraged. The article was part of a symposium on "Anarchici e Anarchia nel Mondo Contemporaneo" (Atti del Conveghno promosso dalla Fondazione Luigi Einaudi, Turin, 1971).

[83] *Ibid.*, p. 271.

[84] See Paul Avrich, *The Russian Anarchists* (Princeton, 1967). See also Franco Venturi's magisterial *Roots of Revolution: A History of the Populist and Socialist Movements in Nineteenth Century Russia* (New York, 1966), esp. "Introduction" by Isaiah Berlin, and Chapters 10, 13, 20, and 21.

[85] For background material see especially George Lichtheim, *Marxism* (New York, 1965). Detailed and path-breaking: Ulrich Linse, *Organisierter Anarchismus im Deutschen Kaiserreich von 1871* (Berlin, 1969), esp. Chapter B, Significant is that this study confines these political developments within a European setting.

a working and thinking member of these groups and these circles, and to the extent to which, in later years he had to rethink over and over again the changing pre-suppositions of these early formulations — is he a major figure in fin-de-siècle and early twentieth-century socialism and anarchism.[86] Souchy was the first to record this,[87] and his book helps to place Landauer in the spectrum of European socialism current at the time. In his anti-communism, anti-bolshevism, and anti-Marxism, Landauer is best characterized as a populist, or as Souchy had it as a "communalist."[88] The book is also suggestive in pointing to the two irreducible souls which lurked in Landauer's breast: his quietistic, mild warmth on the one hand and his activist, burning prophetic radicalism on the other hand.[89] Both were to show in all of Landauer's writings,[90] associations, and decisions. Both can be

[86] I want to acknowledge indebtedness to Professor George Mosse of the University of Wisconsin for suggesting and encouraging this study as well as for focusing my attention on the fin-de-siècle, "young Landauer" as a scholarly "terra incognita."

[87] My attention was drawn to the Swedish study of Augustin Souchy and to his person by Rudolf de Jong of the Institute for Social History in Amsterdam, who kindly arranged the Munich meeting and gave inestimable help in evaluating the "Landauer Nachlass" in the Amsterdam Institute, Summer 1972. The research was subvented by a grant from the National Foundation for Jewish Culture, herewith acknowledged with appreciation.

[88] Souchy, p. 100: "... med en exact beteckning; kommunalist." This same shading of "communalism" is found in the word "k'hilya" (Hebrew for communal settlement) coined by the early Hashomer Hatsair movement in Palestine in the years 1917–20, in which this movement was heavily influenced by the type of search for ethical community, individualistic self-realization and regeneration, and anarchistic socialism which Landauer taught. For carefully documented material, see Elkanah Margalit, *Hashomer Hatsair: 1913–16* (Tel Aviv, 1971) esp. p. 36 and p. 43; also n. 115 p. 315. Cf. Russian populism: Peter Scheibert, *Von Bakunin zu Lenin* (Leiden, 1970).

[89] Souchy, p. 133: "Ja, det var tva sjaelar, som bodde i hans broest: den ena fredlig, stilla, full av saktmod, kaerlek och mildhet; blott skapad till kaerleksfullt, haengivet arbete; den andra starkt brusande, oppfyld med profetisk kraft, gloeheande het skaparkraft ..."

[90] The first complete bibliography of the Landauerian oeuvres will be published by the writer in the next *Proceedings*. It will be based on materials

traced in his last involvements and last withdrawals in the German revolution of 1918–19 in Munich. Since this writer located only one copy of this book, it must be assumed that a very small number was originally printed and that it did not enjoy a very wide circulation. Perhaps it can even be said that its insights did not travel very far into the Landauer transmissions. At this point it is important to point out that these insights in hindsight offer the contemporary researcher important clues to how Landauer's contemporaries, who were sympathetic to his political message, used his work and reacted to his person.

We have a similar reportage in Dutch from Henriette Roland Holst,[91] an involved anarcho-socialist, active in the European movement, who wrote *Gustaaf Landauer: Zijn Levensgang en Levenswerk*. This book, of similar size as the one by Souchy, was published by "Arbeidergemeenschap der Woodbrookers in Holland" in a series entitled "Religieus-Socialistische Vragen," and is an indication that Landauer's life's work had begun to penetrate into religious movements not only in Jewish-Palestinian circles but Protestant-European groups as well. The author offered the book as a testament, "een bekentenis." In her introduction, she related that Landauer's "tragic martyr's-death had made a deep impression upon her."[92] The book itself had originally appeared as a series of several articles in the Dutch *Barchembladen* journal in issues from February to June, 1930.[93] In addition to most of his published works and letters, the author seems to have had the very rare stenographic reports of the revolutionary Workers' — Peasants' — and Soldiers' Councils meetings held during the Bavarian Revolution[94] (February-March 1919). These were

collected in the Archives of the Institute for Social History in Amsterdam, supplemented by those of the Buber Archives in the National and University Libraries, Jerusalem. Assistance of Mr. Rudolf de Jong and Mrs. Margot Cohen is acknowledged.

[91] Henriette Roland Holst, *Gustaaf Landauer: Zijn Levensgang en Levenswerk* (Arnhem, 1931).

[92] Holst, p. 8: "Ook zijn tragische martelaarsdood had geen diepen indruk op mij gemaakt."

[93] *Ibid.*, 9. [94] Holst, 9.

evidently made available to her by Dr. Max Kronstein. Landauer's son-in-law. They would have given some insight into Landauer's speeches during the Revolution. To what extent they were complete, can not be ascertained from the book. We know that Martin Buber never succeeded in getting the full stenographic record; he was able to locate reports of only a few speeches (February 25, March 8, 1919).[95] The book contains, the only available photograph of the majestic tombstone which the German syndicalist workers set for Landauer as a graveside monument.[96] (This was later destroyed.)

The novelty of this volume lay in its critical analysis[97] of Landauer's abiding anti-Marxism (an attitude which Holst attributes to Landauer's missing the point of Marx's humanism);[98] in its sympathetic understanding of Landauer's charismatic personality;[99] but most important of all (and uniquely its own),

[95] *Stenographischer Bericht ueber die Verhandlungen des Kongresses der Arbeiter-, Bauern-und Soldatenraete* (vom 25. Februar bis 8. Maerz, 1919). The original can be found in the Bavarian Staatsbibliothek. I had the use of a copy belonging to the Jewish National and University Library, Jerusalem, Ms. No. 432, 140 of the Buber Archives.

[96] Holst, pp. 40–41.

[97] *Ibid.*, esp Chapter III.

[98] *Ibid.*, p. 73 on. "Maar heirin deed Landauer toch Marx weer onrecht: dat hij het grootmenschelijke, profetische, messianistische in diens levenswerk niet wilde of niet kon erkennen." See also Hans Kohn, *Martin Buber* (Hellerau: Verlag Jacob Hegner, 1930), p. 195: "In dieser Anschauung unterscheidet sich Buber's Sozialismus vom Marxismus. Der Unterschied liegt nicht im Endziel. Der Sozialismus von Marx hat das gleiche Endziel wie der Anarchismus, dem sich Gustav Landauer zurechnet, der auf Buber's Sozialphilosophie einen entscheidenden Einfluss ausgeuebt hat. Landauer's Angriffe gegen den Marximus, die vor allem in seinem *Aufruf zum Sozialismus* enthalten sind und dessen schwaechste Stellen bilden, gehen irre, wenn sie sich gegen das von Marx aufgestellte Endziel zu richten glauben. Auch Marx will die staatenlose, apolitische, freie Assoziation, die wahre Gemeinschaft, die vollendete Gesellschaft aller Menchen. Schon am Schluss des *Kommunistischen Manifests* ist das deutlich gesagt. Landauer's und Buber's Sozialismus entscheiden sich vom Marxismus nicht im Ziel, sondern in der historischen Grundlegung und in den Mitteln der Verwirklichung."

[99] Holst, Chapter I, "Landauer's Levensgang, uitgebeeld in zijn Brieven."

in its characterization of Landauer's socialism as at once religious and mystical.[100] Holst, as probably no other writer on Landauer, placed him within the framework of late 19th and early 20th century mystical stirrings in philosophy and theology. Though the characterization is not a scholarly one, the insights into the material are correct and are useful in bringing to the fore an aspect of Landauer's style, ethos, and devotion which bound him to theologians such as Buber[101] and to poets such as Dehmel, Rilke, and Liliencron.[102] The "new Mysticism" captured strong forts of

[100] *Ibid.*, p. 84: "Landauer's diepste wezen was gedrenkt met joodsch mysticisme en Messianisme."

[101] On Buber's mysticism see the excellent discussions in Hans Kohn, *Martin Buber*, esp. his concept of "activist mysticism." Kohn reminds that Buber and Landauer shared an interest in Christian mysticism at the turn of the century. Buber published an essay on "Jakob Boehme" in the *Wiener Rundschau* of June 15, 1901; his Ph.D. dissertation in 1904 dealt with "Zur Geschichte des Individuationsproblem (Nikolaus von Cues und Jakob Boehme)." Buber was intellectually indebted to Dilthey's conception of "Erlebnis" and Simmel's conception of "religiosity as a category of feeling." Buber was strongly influenced by the writings of Meister Eckhart in whom he found a special conception of the communion between man and God. This conception became important in Buber's studies on Jewish Kabbalah. Buber's early interest in mystical ecstasy later changed to an interest in mystical teaching (Die Lehre). At the Soziologentag of October 1910, Troeltsch and Buber crossed swords about the timelessness or time-bound quality of mystical categories. Landauer's interest in Meister Eckhart became manifest with his 1903 translation from his mystical writings. Landauer — like many at the turn of the century — saw Meister Eckhart as a pantheistic, medieval radical and heretic. Present-day scholarship has become more conservative. Grete Schaeder in *Martin Buber: Hebraeischer Humanismus* (Goettingen, 1966) believes that Buber and Landauer were brought together in life-long friendship by their common interest in Eckhart (p. 70). The book is excellent in tracing the mystic tendencies in Rilke, Mombert, the George Kreis, and in focusing also on the "voelkisch" elements in Landauer's and Buber's mysticism, in its emphasis on the true Volk, a feeling shared by conservative thinkers.

[102] Excellent discussion in a "European" reading of this period are found in the series, entitled "Epochen der deutschen Kultur," esp. Richard Hamann und Jost Hermand, *Naturalismus*, *Impressionismus*, and *Stilkunst um 1900* (Muenchen, 1972 and 1973). These are probably the most comprehensive works on German literary and intellectual history, encompassing the insights

intellectual and cultural influence in philosophy[103] and religion, as well as in art literature. As a bridgebuilder from sceptical-radicalism to mystical, linguistic analysis[104] and as translator of mystical literature,[105] Landauer is a true son of his generation.[106]

of science and social science, attempted in recent years. Unfortunately no scholarly apparatus is provided.

[103] See the magisterial work by Ernst Cassirer: *Wesen und Wirkung des Symbolbegriffs* (Oxford, 1956). This encompasses the three studies published for the Bibliothek Warburg in 1922, 1925, 1921–22 entitled respectively; "Die Begriffsform des mythischen Denkens," "Sprache und Mythos," "Der Begriff der symbolischen Form im Aufbau der Geistewissenschaften" as well as the lecture given for the University of Goeteborg in 1938 on "Zur Logik des Symbolbegriffs." Equally important in this connection is the English access to the author's as yet inaccessible German *Die Philosophie der Symbolischen Formen*, namely *Language and Myth* (New York, 1946). The period is also characterized in Cassirer's *Vom Mythus des Staates* (Zuerich, 1949) esp. the section entitled "Was ist Mythus." Present-day research focuses on the mythical elements in the thinking of the seminal philosopher Ludwig Wittgenstein in his *Tractatus Logico-Philosophicus* (London, 1922). For good analyses, see Allan Janik and Stephen Toulmin, *Wittgenstein's Vienna* (New York, 1973), and David Pears, *Ludwig Wittgenstein* (New York, 1969). Also suggestive George Steiner, *Language and Silence* (New York, 1967), especially the chapters called "The Retreat from the World" and "Silence and the Poet." Steiner is very good in showing the total European artistic, philosophical, and literary scene. "... the retreat from the authority and range of verbal language plays a tremendous role in the history and character of modern art."

[104] See his *Skepsis und Mystik: Versuche im Anschluss an Mauthner's Sprachkritik*. First edition was published by F. Fontane & Co. in Berlin in 1903. Landauer added materials in 1905 and Martin Buber published a second edition in the Marcan-Block Verlag in Koeln in 1923.

[105] Gustav Landauer translated the sermons of Meister Eckhart, a 14th century German Dominican monk, whose mystic radicalism in reading the unity of man and the divine, caused him to posit a heretical, pantheistic concept of God-man. On Meister Eckhart, see two good articles in Josiah Royce, *Studies in Good and Evil* (New York, 1906) and Rufus Jones, *The Flowering of Mysticism* (New York, 1939). In the 19th century, Franz von Baader, Hegel's friend, discovered Eckhart for German idealism. His thought is close to that of Lao Tzu and Buddha. The translation which Landauer published from the Middle High German is variously recorded as having been brought out by Karl Schnabel Verlag in Berlin in 1903 or 1906 (Buber's note on p. 47 of *Lebensgang in Briefen*, I, cites 1906). The Nazis were later to appropriate some of Eckhart's

In addition to a Swedish and a Dutch transmission, there exists also a very respectable Spanish Landauer assessment, by the noted historian of anarchism, Max Nettlau,[107] entitled *La vida de Gustav Landauer según su correspondencia*, published in

thoughts as "true" German mysticism. For this see Raymond Blakney, *Meister Eckhart: A Modern Translation* (New York, 1941), xv. Landauer treasured Eckhart for his clear prose, his realism, and his sober, rational thinking. See *Lebensgang in Briefen*, I, 47. Modern scholarship has retraced Eckhart's lines of thought and his pantheistic heresies. For references, see Grete Schaeder, *Martin Buber*, pp. 53 and 395. For Landauer's own affinity to atheistic mysticism see Heinz Joachim Heydorn in *Gustav Landauer: Zwang und Befreiung* (Koeln, 1968), p. 15. Ernst Simon speaks of Landauer's "social mysticism." See *Martin Buber: Briefwechsel aus sieben Jahrzehnten*, I, p. 63. Hans Kohn made reference to Landauer's interest to bring the personality of Eckhart to the reader's attention — not to treat him as a subject of historical scrutiny. See Kohn, *Martin Buber*, p. 293, citing Landauer's prospectus for the translation: "Es ist die Wiederkunfteines Verschollenen, der nicht historisch gewuerdigt, sondern lebendig erfuellt werden soll." Similarities are here noted to Buber's "Introduction" to his *Ekstatische Konfessionen* (Jena, 1909): "Der Ekstatiker mag psychologisch, physiologisch, pathologisch erklaert werden; uns ist das wesentlich was jenseits der Erklaerung bleibt: sein Erlebnis." (I am deeply indebted to the late Professor Abraham Joshua Heschel for leading me to this early statement as the best short summary of a position which Landauer and Buber shared in their work as translators of the great mystics.)

[106] The interest in communication in this period is demonstrated by its interest in the nature of language, of dreams and fantasies, of theatrical styles and movements, and in translation (communication from language to language), and in typography. Highly characteristic for this period is the translator (with Buber) of the Bible, Franz Rosenzweig in his *Briefe:* "Das Uebersetzen ist ueberhaupt das eigentliche Ziel des Geistes; erst wenn etwas uebersetzt ist, ist es wirklich laut geworden, nicht mehr aus de Welt zu schaffen. Erst in der Septuagint ist die Offenbarung ganz heimisch in der Welt geworden, und so lange der Homer noch nicht lateinisch sprach, war er noch keine Tatsache." (From a letter to Rudolf Ehrenberg, dated October 1, 1917.)

[107] See the Ms. written in the 1930's, now in the International Institute for Social History (Nettlau Archive) entitled *Anarchisten und Sozialrevolutionaere, 1886–1914*. Also useful are the author's *Der Anarchismus von Proudhon zu Kropotkin* (Berlin, 1927) and *Anarchisten und Sozialrevolutionaere:* Die historische Entwicklung des Anarchismus in den Jahren 1880–1886 (Berlin, 1931).

Buenos Aires in 1929.[108] Especially valuable in placing the young Landauer within the circle of anarchist free thinkers in the Friedrichshagen community (near Berlin) of 1890–92, in the circle of the Harts and the "Neue Gemeinschaft" of the same years, and the thought-world of Stirner, Ibsen, and Nietzsche, Max Nettlau contributed an additional insight which later biographers often overlooked or misinterpreted: Landauer's early interest in communal settlements and "Gartenstaedte." Here he was heir to much of the thought of Duehring, his colleague Friedlaender, and Theodor Hertzka, the author of "Freiland."[109] It is not correct to conclude that Landauer's anti-urban and anti-metropolitan stance was a position of his later, less idealistic (or less pugnacious) years, as has been argued recently.[110] It is far more correct to

[108] *La Protesta*, July 31, 1929.

[109] Well-know modern utopia: *Freiland: Ein Zukunftsbild* (Leipzig, 1890). Sixth edition was published 1892, the tenth in 1896, proving its mass interest.

[110] Eugene Lunn, *Prophet of Community* (Berkeley, 1973), esp. Chapter 4. A similarly mistaken reading of Landauer's "Siedlungsgedanken" from the oeuvres of the period after 1908 occurs in Wolf Kalz, *Gustav Landauer: Kultursozialist und Anarchist* (Meisenheim, 1967), p. 18 on. Though Kalz states correctly that "Es ist methodisch gesehen mangels umfassender theoretischer Abhandlungen unerlaesslich, die verstreuten und haeufig ad hoc geaeusserten Gedanken Landauers zu einer allgemeinen Theorie seiner sozialen Ordnung zusammenzufassen. Es versteht sich dabei von selbst, dass auch die Einfluesse jener Sozialisten miteinbezogen werden, die, wie Proudhon und Kropotkin, Landauer's Theorie wesentlich praegen halfen" (p. 20). This is a major error; firstly, because Landauer himself argued strongly that his theories were well-developed at the time at which Landauer came into serious confrontation with these ideologies. Secondly, reference to Landauer's own early work shows that his intellectual indebtedness in his formative years was to the thoughts of Friedlaender, Duehring, and Hertzka. In the Germany of the fin-de-siècle it was these ideologies with which the "Jungen" and the libertarian "Unabhaengigen" shaped their programs of communalism and free socialism. For another example of this type of anti-statist, anti-Marxist, anti-mass-party utopian communalism see the work of the German-Jewish economist and social scientist Dr. Franz Oppenheimer. Suggestive here is the chapter entitled "Sozial Experimente" in his autobiography, *Erlebtes, Erstrebtes, Erreichtes* (Berlin, 1931), which describes in great detail the small circles which were formed in and around Berlin to agitate for ideas found in the writings of

accept the Nettlau thesis that these early ideological influences were decisive and sustained.[111] The present writer would add here that it is precisely this early inclination to populist ("back to the land") movements which built the later bridges to Buber and Nahum Goldman in their efforts to create a European Socialist Zionism, with its call to a return to the land. What is also of importance to the history of the Landauer's transmissions, is Nettlau's periodization of the development of the horizons of the young Landauer and his revolt (around 1892–94) against what Nettlau called "egocentric intellectualism." From the point-of-view of the history of socialist anarchism, Nettlau's characterization of Landauer's contribution as that of "socialismo con-

Hertzka, Henry George, and Duehring. Oppenheimer carried these ideas, many of which Landauer shared, to the United States and to Palestine. See especially Franz Oppenheimer "Cooperative Farm Communities" in *Bulletin of the University of Georgia*, XXXVI (May, 1936). The call for Siedlungen, Gartenstaedte, working-men's suburbs was part of the general protest against impersonal metropolitan living. It is one of the characteristic moods of the period before the turn of the century. For a contemporary thinker, who understands well this coming together or revolutionary alienation and fanciful utopia-building, which characterized the period of Landauer's youth, see "Fantasy and Utopia" in Harvey Cox, *The Feast of Fools* (Cambridge Mass., 1969).

A similar lack of insight into Landauer's ideas on communal settlements characterizes Charles Maurer, *Call to Revolution: The Mystical Anarchism of Gustav Landauer* (Detroit, 1971). Promising in its title, Maurer nowhere spells out the relationship between Landauer's early thought and his interest in communities. The chapters on "The Socialist Years 1891–1900" and "Mauthner and Mysticism 1900–1906" carry no information or suggestion of this very important early interest. The chapter on "The Socialist Bund 1908–14" (much as Kalz) begins the discussion as though Landauer *discovered* the idea of community and communality during the period during which he began to *found* organs and institutions such as "Der sozialistische Bund" and his own "Der Sozialist." He who does not understand the young Landauer of 1890 to 1896 can never hope to comprehend his mature writings and activities.

[111] Nettlau, p. 383 on. For a helpful typology of "negative" and "positive" anarchism, which does not deal with the work of Landauer, but might well yield helpful ways of characterizing his consistent thinking see Peter Heintz, *Anarchismus und Gegenwart* (Zuerich, 1951).

structivo y experimental" explained better than many contemporary biographers have understood,[112] the tension in Landauer between the immediate, realistic program and the larger, theoretical, conceptual framework of social reorganization.

Nettlau wrote another short appreciation of Landauer in *Nervio* (a supplement to *La Protesta* in 1929) but reserved a full-scale appreciation for the "Foreword" to the remarkable Yiddish edition of Landauer's *Die Revolution*, entitled *Die Revolutje*, published in Berlin in 1931.[113] Nettlau made special mention of the fact that with this edition Landauer would be entered into the Yiddish-speaking world at the same time in which a Spanish edition of the same work was being prepared. This edition has, however, to date not been located. Nettlau's "Foreword" reviewed the relationship which tied him to Landauer from 1892 until 1913; but it did more than that. It attempted to harmonize the libertarian socialist tendencies of the late nineteenth century and to relate them to the ongoing socialist movement. It has really taken on face value the best short integration of the anarchist socialist position into the history of European socialism. Landauer's place emerged in this short, well-reasoned historical treatment

112 See supra n.3. We would interpret differently (in accordance with the serious reading of the young Landauer here proposed) the statement of Walter T. Angress in his essay "Juden im politischen Leben der Revolutionszeit" in Werner Mosse's "Sammelband" entitled *Deutsches Judentum in Krieg und Revolution: 1916–23* (Tuebingen, 1971): "Daher hat Landauer sich stets als Anarchist bezeichnet. Jedoch bis zum November 1918 hielt er sich in seinen Schriften, besonders dem im Jahre 1911 zu erst veroeffentlichten *Aufruf zum Sozialismus*, trotz seiner theoretischen Beschaeftigung mit politischen Fragen der Tagespolitik fern" (p. 254). Landauer's interest in social experimentation, his activism in the European socialist movement on behalf of the libertarian-anarchist position, as well as his literary free-thinking efforts all consistently and most devotedly speak to and agitate for "Tagespolitik." A careful reading of the titles of essays published by the young Landauer during the fin-de-siècle, which is being prepared by the writer, will demonstrate how intimate is the relation between the young Landauer's theoretical interest and his active "Tagespolitik" for which he consistently and "self-consciously" went to jail before the turn of the century.

113 I. Steinberg (Berlin, 1933).

secure, well-defined, well-understood in the large, diversified, and manifold world of European socialist ideologies. Nettlau, better than anyone else, made room in his analysis for many strains and many strands of libertarianism and social radicalisms. He cited the fact that until 1933 no biography of Landauer had been written, because the diversity of interests and competences which Landauer had, had found no one anywhere able to assess his full importance. Nettlau cited the harmony and the "wholeness" and completeness of Landauer's thinking - its integrated unity in moral purpose and aesthetic form.

Nettlau sensed correctly that only a later age would be able to evaluate the record in its totality. This promise has, unfortunately, not yet been fulfilled, but a part of the inability to understand the world of Landauer lies in our meager monograph literature pertaining to the radical world of 1890 Berlin. "The Jungen," in particular, have nowhere come into their own. When they do – Landauer with them will appear less fragmented and solitary a figure and it will increasingly become clear that these very seemingly lonely, existentially troubled, Berlin libertarians were a very significant *group* in post-Nietzschean Germany.[114] Nettlau better than anyone else also captured the sense of eclectic search in that generation of European socialists, as seen in their rebellion against mass-party, doctrinaire dogmatism, and slavish party activism. Nettlau also understood better than other historians of socialism how much Landauer and his associates attempted to build socialist spontaneity, unity, and common goals into what they thought was already a petrified structure. Nothing is as clear from these few pages by Nettlau as his belief that Landauer and his peers were indeed the "generation rebellion" of the European socialist movement.[115] When seen in this context, many of the paradoxes which writers have found in Landauer suddenly fall into natural place, sequence, and meaning. Nettlau coined a new word for what he thought Landauer was all about: he thought

[114] Nietzsche is here read as first German existentialist.

[115] Nettlau, p. 12 on.

that Landauer desperately but consistently tried to build a new "revolutionary-socialistic 'Ideenpartei'." Landauer was then the man, in effect, who tried to do for his generation what Marx had done for his. Landauer was the man who preached a new, great fluidity in world socialism; for him socialism was the great key which unlocked doors of possiblity. In this reading, Landauer is the precursor of Ernst Bloch's *Das Prinzip Hoffnung*. Landauer in this reading is also the precursor of Freud. Freedom had to be created in the individual human soul before it could aspire to be objectified in society[116]—first self-development, then social activism. No social regeneration could come until individuals had given up their own voluntary slavery and subservience. Nettlau understood Landauer well. He understood him as the bridge between a dying century and a burgeoning new one; he understood him as a strong link in the chain of European socialism; he wrote him into the history of the great social ideologues of the Western World.

116 Nettlau, p. 16.

LETTER FROM SICILY TO ḤASDAI IBN SHAPRUT

by Alexander Scheiber and Zvi Malachi

מוקדש ליובלו של חכם ההיסטוריה
פרופ׳ שלום בארון

Material on the Jews of Sicily in the 10th century, living under Saracen rule, is far from abundant.[1] The fanatical Ibrahim Ibn Ahmed had personally come from Africa to Sicily in order to carry on the holy war; he ordered that the Jews should wear on their shoulders a painted monkey-figure in the middle of a white circle, while the Christians should wear the shape of a sow. The same figures were ordered to be fastened on the doors of their houses. Nevertheless the position of the Jews was still more bearable under the rule of the Moslem Saracens than under the Christian Greeks as there was no trace of systematic religious persecution even during the age of the internal rivalries of the Saracens.[2]

I. A Hebrew Private Letter and its Contents

Because of the lack of Hebrew source materials, the letter found in the Cambridge Geniza in one of the boxes containing poetical pieces should be appreciated. It is classified under T. S. N.S. 149[1]. Paper, 2 leaves, 14.5 × 16.5 cm. Square writing. Its contents are the following:

1) *Pars pathetica* [1a]:

The anonymous writer appeals to a dignitary in Spain [line 2]. The star of his country has reached the borders of Asia [line 3].

[1] R. Straus, *Die Juden im Königreich Sizilien unter Normannen und Staufern* (Heidelberg, 1910), 5–6; A. Milano, *Rassegna Mensile di Israel*, XX (1954), 16–17; S. M. Stern, *JJS*, V (1954), 60–61; C. Roth, *JQR* (N.S), XLVII (1956–57), 317–335.

[2] M. Weisz, *Magyar Zsidó Szemle*, XVI (1899), 49.

Every Jew follows him [line 4]. The name of God is hallowed by him [line 10]. He is helping the "cast off" people, the Jews [line 11]. The writer of the letter kisses his hands [line 22].

2) *The account of the event* [1b–2a]:

The writer is one of the few remaining Jews of Palorm, i.e. Sicily [line 23], who escaped the sword, the pestilence and the famine. He describes the general misery, which was caused by the enemy [line 25]. Its result was atrophy of the hand and of the foot: the flesh came off the bones [lines 36–38]. An internal revolution broke out and the town was besieged [line 47]. Many thousands fell victim to the famine [lines 49–50]. They turned to the Emperor of Constantinople and asked him for the help of his legions. He agreed and led several successful campaigns, resulting in the fortification of the populated towering city and he spent some time there [lines 51–56]. The King of Girgashi retaliated by preparing for the siege, encamping five days' distance from the town [lines 56–57]. But the commander of the Emperor of Edom attacked him, defeated his camp and forced him to flee [lines 58–62]. The remaining Jews owed their lives to him [line 67].

3) *Dirge* [2b]:

The present pitiful state of affairs induced the writer to compose a dirge (*qina*). One can discern in it a striving to alphabetize.

II. The Historical Background

The name of the addressee is no longer legible in the blurred text, but on the basis of the way he is addressed, he must have been Ḥasdai Ibn Shaprut (c. 915–c. 970), the Jewish statesman in Spain, who used his high political position to protect the Jewish communities and was their patron and spokesman. More and more data has come to light on his activities.[3] In the text one can decipher only בן [א]ספמייא: the son of Spain.[3a] In addition, mentioning of the borders of Asia may refer to his connection with the

[3] S.M. Stern, *Zion*, XI (1946), 141–146.

[3a] S. Abramson, *Sinai*, XXXV (1971), 42–44; Y. Dishon, *JJS*, XXIV (1973), 84–85.

Khazar Kingdom.[4] The following personal and geographical names occur in the letter:

1) מלך הכרך הגדול הנקרא קצטנטיניה העיר

The Emperor of the great town of Constantinople [lines 51–52] is Constantine Porphyrogennetos. Ḥasdai's connections with the Emperor of Byzantium must have been known to the writer, that is why he most probably turned to Ḥasdai, on behalf of the remaining Jews of Sicily. There exist some documents verifying connections between Ḥasdai and the Emperor; the former had written to the Emperor and sent him presents (למלך קשטנטניה)[5] requesting the Emperor to help his envoy to reach the Khazar King. He also wrote both to the Emperor and to the Empress Helena championing the interests of the Jews of Byzantium.[6]

2) שר מלך אדום

The commander of the Emperor of Byzantium [line 58] is Marianos Argyros. Edom also means Byzantium. "Mit diesem Worte bezeichnen die Juden stets *Rom* als christliches Reich, insbesondere auch Neu-Rom (Byzanz) und Italien, die christlichen Völker überhaupt, auch die christliche Religion und alles, was mit ihr zusammenhängt."[7]

3) הגרגשי [מלך]

The ruler of Girgashi [line 56] is synonymous with the king of the Saracens.[8] In the Midrash-literature they are said to be living in Africa:[9] מה עשה הגרגשי, פנה והלך לו מלפניהם, ונתן לו הקב"ה ארץ יפה כארצו, זו אפריקא.

4 P. K. Kokovtzov, *Jevrejsko-Chazarskaja perepiska, X veke* (Leningrad. 1932), 35, 117; A. Kiss, *Acta Archaeologica*, XX (1970), 341–348.

5 P. K. Kokovtzov, *op. cit.*, 15.

6 J. Mann, *Texts and Studies*, [I] (Cincinnati, 1931), 10–12, 21–23; *HUCA*, X (1935), 297–301; A. Sharf, *Byzantine Jewry* (London, 1971), 99–101; N. Golb, *Journal of Near Eastern Studies*, XXXII (1973), 115–116.

7 S. Krauss, *Jewish Studies in Memory of G. A. Kohut* (New York, 1935), 380.

8 S. Krauss, *loc. cit.*, 391–392.

9 *Midrash Debarim Rabbah*, ed. S. Lieberman, (Jerusalem, 1940), 101; J.H. Lewy, עולמות נפגשים (Jerusalem, 1960), 76–77.

4) פלורם הנקראת סקליה

Palorm, named Sicily [line 23], refers to the town of Palermo. "Il nome ch'essa porta è di schietta origine greca, πάνορμος, e significa 'tutto porto' esso."[10] This form of the Greek name appears in the 10th century in Theophanes Continuatus: Σικελίαν καὶ Πάνορμον[11] and in the 11th in Georgios Kedrenos.[12] We know of its 10th century Hebrew transcription from Shabbatai Donnolo's: פלרמו,[13] and a century later from Ahimaaz b. Paltiel's: פלירמו.[14] In the 11th century Benjamin of Tudela describes the royal palace at Palermo[15] where — as testified by our letter — the Byzantine Emperor or his commander stayed.

The event took place in 956. The period was marked by civil war, endless revolts in Sicily, fighting between the Byzantine Empire and the Saracens. For some time Constantine Porphyrogennetos succeeded in establishing peace.[16] According to his biographer the whole of Southern Italy came under the rule of Byzantium.[17]

III. Non-Hebrew Sources

The non-Hebrew sources give the following account of the event:

1) *Theophanes Continuatus* (10th century)

[10] *Enciclopedia Italiana*, XXVI (Roma, 1935), 59; E. Bartolini, *I Barbari* (Milano, 1970), 648, 655; Y. Eventov, C. Rotem, *A History of Yugoslav Jews*, I (Tel Aviv, 1970), 43.

[11] *Theophanes Continuatus* (Bonnae, 1835), 304.

[12] *Georgius Cedrenus*, II (Bonnae, 1839), 360.

[13] *Il commento di Sabbatai Donnolo sul libro della Creazione*, ed. D. Castelli, (Firenze, 1880), 3; J. Starr, *The Jews in the Byzantine Empire* (Athen, 1939), 149, No. 87; S. Muntner, שבתי דונולו, II (Jerusalem, 1949), 17.

[14] מגילת אחימעץ, ed. B. Klar, (Jerusalem, 1945), 47; S. M. Stern, *Tari*, Studi Medievali, 3ª Ser, X/1 (1970), 181.

[15] C. Roth, *Annuario di Studi Ebraici* 1968–69 (Roma, 1969), 48.

[16] J. Gay, *L'Italie meridionale et l'empire Byzantin* (Paris, 1904), 217–218; W. Ohnsorge, *Abendland und Byzanz* (Darmstadt, 1958); idem, *Konstantinopel und der Okzident* (Darmstadt, 1966); P.V. Laurent, *Byzantino-Sicula* (Palermo, 1966); H. Ahrweiler, *Byzance et la mer* (Paris, 1966); G. Ostrogorsky, *History of the Byzantine State* (Oxford, 1968).

[17] A. Rambaud, *L'empire grec au dixième siècle. Constantin Porphyrogénète* (Paris, 1870), 448.

"And the Emperor Constantine ordered his army against the Lombards and the Neapolitans sending the patrician Marianos in command, as the West was in revolt and tore off the bonds of the Roman sway. As it happened, those who had received Lombardy and Calabria to live there rose recklessly; they dared to do so because they were far away from the imperial city. For this reason their constant perfidy and disobedience led them so far that... they destroyed the towns, castles, and the nearby villages with dagger and sword... In order to prevent that the mutinous mob, going too far in their audacity, should subject the peoples of Roman sovereignty, the Porphyrogennetos could not bear it any longer and defended them with Thracian and Macedonian troops; he suppressed their arbitrariness and senselessness with warships supplied with flowing fire. Attacking Naples from the sea and from land with his army Marianos Argyros burned up all things found on the land; he had the outlets guarded from the sea and surrounded them from all sides, crippled and humiliated by famine and captivity they sent word to the Emperor Constantine to ask him and plead him to accept them into his service as it had always been. The same was done by the Lombards and the Calabrians. So even the barbarians of Sicily made a peaceful agreement (διὸ καὶ οἱ βάρβαροι τῆς Σικελίας σύμφωνα εἰρηνικὰ ἐπετέλουν). Admiration is due to the war against the Africans, too. The ships clashed and immediately ran against each other, a strong wind arose which was our ally and help but fought and opposed the barbarians; consequently they were defeated and were given to the depth of the sea together with their weapons and ships. And their Emir sought peace from the Emperor..."[18]

2) *Kedrenos* (11th century)

"Constantine too sent a sea and a land force against them (i.e. the Saracens). The fleet was led by Krambeas and Moroleon while the infantry by the patrician Romanos Argyros... Pulling the ships ashore they were preparing to sail against Sicily. The

[18] *Theophanes Continuatus*, VI 30-31, ed. B. G. Niebuhr, (Bonnae, (1838), 453–455 (Corpus Scriptorum Historiae Byzantinae).

Saracens got frightened by the news (which can enlarge the small things and can make the great things sound even more frightful) and fearing that the enemy will invade the vicinity of them who were yet unprepared..., they were seized by fear and fled from Reggio leaving behind even their camp and made their way for Sicily. While sailing towards Palermo they were caught by a very strong storm and the waves... broke their ships and they all perished (ἐν δὲ τῷ πρὸς Πάνορμον ἀποπλεῖν βαρυτάτῳ χειμῶνι περιπεσόντες, καὶ τῶν σκαφῶν ὑπὸ τοῦ κλύδωνος συντριβέντων... διολώσασιν ἅπαντες). So they made peace..."[19]

3) *The Cambridge Chronicle* (11th century)

"On August 9th in the year 6464 (955–956) Ammâr became the commander of a fleet and spent the winter at Palermo. In the first days of spring he went over to Calabria. In this year Basilios the Protokarabos (the shipmaster) landed at Reggio, destroyed a mosque, captured Termini, encountered Emir Hasan at Mazara and killed a lot of Moslems."[20]

4) *Ibn Al-Aṯîr* (12th–13th century)

"Al-Manṣûr..., the ruler of Africa, in 336 (July 23, 947 — July 10, 948) appointed... al-Ḥasan b. Ali b. Abi 'l-Ḥusain the governor of Sicily, who settled on the island... This governor led many campaigns against the Byzantines of Sicily. Then the latter turned to the Emperor Constantine for help who sent a large army to assist them. The army landed at Otranto. When al-Ḥasan b. Ali having forwarded a message to Manṣur in order to reveal the situation before him, the Khalif sent a considerable army under the command of the distinguished officer, Faraḥ the eunuch.

[19] *Georgius Cedrenus*, ed. I. Bekker, II (Bonnae, 1839), 359–360 (Corpus Scriptorum Historiae Byzantinae).

[20] Cozza-Luzi, *La cronaca siculo-saracena di Cambridge con doppio testo Greco scoperto in codici contemporanei delle biblioteche Vaticano e Parigina* (Palermo, 1890). (Documenti per servire alla storia di Sicilia, publicati a cura della Società Siciliana per la Storia Patria. 4. Ser., II.); A. A. Vasiliev, *Byzance et les Arabes*, II/2. La Dynastie Macédonienne (Bruxelles, 1950), 106. (Corpus Bruxellense Historiae Byzantinae).

Ḥasan joined with his army the dispatched force and started military expeditions in the various parts of Calabria with Reggio as their aim... Ḥasan attacked the Byzantines who, receiving the news of his approach, fled without fighting and left even Otranto... The situation remained unchanged until the "ḏû-'l-ḥiğğa" month (April 29 — May 28, 952), when there was a big battle between the Moslems and the army of Constantine reinforced by the Byzantines of Sicily... After heavy fighting the Moslems drove the Byzantines away and were killing and capturing them until late at night..."[21]

IV. Evaluation

Text No.1. was probably prepared on the basis of an official war report obviously sent by Argyros to Byzantium. Here the victorious battle is followed by a storm. The presentation of the second text is nearer to the truth than the former which excessively glorifies the victors. Here, the storm receives the main credit for the final result. Kedrenos must have drawn upon several sources.[22] The third text, the Cambridge Chronicle written in Greek, also preserved a Byzantine victory. Text No. 4, the Arab Ibn Al-Aṯîr, speaks of a sweeping Saracen victory.[23] It is not accurate in the date, and obviously does not conform with the facts as precisely as the previous three. The newly found Hebrew letter also supports these Greek texts. Its revelations on the fate and state of the Jews is, however, novel in Jewish historical literature.[24] Considering the person of the addressee and its contents, the letter is among our most valuable medieval historical sources.

The letter itself follows:[25]

21 A. A. Vasiliev, *op. cit.*, 160.

22 A. Rambaud, *op cit.*, 414–416.

23 M. Amari, *Storia dei Musulmani di Sicilia*, II (Firenze, 1858), 250–253.

24 Does the poem — published by Z. Malachi (*Israel Oriental Studies*, II (1972), 288–289 — belong to this event?

25 The copying of the text is a mutual work, the introduction by Scheiber.

T.-S. N. S. 149 [1]

[1a] יק[ר]א לפני אדונינו נוייִנו הדר[נו] הודנו . . . . . נושאינו
נשיאנו מלכנו ובן מלכנו צב[י] . . . . בן . . . . . בן [א]ספמייא
וגברוהי ל[ע]ריה ומזליה בגרגיר איסיא . . . . . ת כי הוא
הראש כאיתיאל [1] שאחריו יתהלך כל איש ישראל . . . . . [יחבוש]
יי׳ שבר עם מרעתו וריפה ברוחו לעדי 5
נמשל בין אומות אל אילת רכה . . . . . מי שענה
כל איש חסידו . . . . . .
. . . . . מדינת אביו נחלטת העולה . . . . . .
[חו]ק ועל דבר אמת וענוה צדק [2] שחבל נח[לתו] [3] . . . . . .
בהתקדש שם שם שמים על ידו בד 10
בהושיע הנדחת [4] הנלקחת בהעביר חרפ[ה] . . . . . .
נאמנת לשבר מתלעות [5] מחבל[ות] מעביר . . . . . .
[כ]ל זר וגם נותן קול לשבור מטה הולכי עיקול [6] [ולגדע]
אמיריו ולהצמית שם כל סרר[יו] . . . . בני א[ל] . . . . . .
יחי גם בו ישמחו כאיש אשר 15
החפץ שלום [7] עמו תאבו . . . . . .
בלי מגע מחפצון . . . . . .
מרע[ות] שונות יצי[ל] . . . . . .
משרות . . . . . .
פנאי 20
. . . . . .
. . . . . .

[illegible]

1 איתיאל] משלי ל, א. במדרש משלי הוצ׳ בובר, עמ׳ 104: ״שהבין אותיותיו של אל״.
2 תה׳ מה, ה.
3 דב׳ לב, ט.
4 יח׳ לד, ה, טז.
5 איוב כט, יז.
6 שופ׳ ה, ו.
7 תה׳ לה, כז.

[1b] מלפני אלים [לה]ללו ולכל יש לו במשלו נצח . ישא אדונינ[ו]
שלום עולם בנשיקת יד בנפש דוויה מקטון בני תושיה
הנשאר בפליטת קהל מתא פלורם הנקראת סקליה האמלים האמללים
המודעים במני אירועים שאר חללי חרב ודבר ורעב שכל מהם
מידי צר נלעב ושאף עליו מעט מהרבה נשארנו [8] וכתורן [9] בראש
[ההר] נותרנו ואשר שחנו מגדריו נגזרנו ונמזרנו ועצמו אלמנותינו [10]
[כמעט וימי]תינו חסדי יי׳ כי לא תמנו ורחמיו הרבים לא כלו [11] ממנו ואם
[יי׳ אז]נו גלה [12] לא החריצנו בכלה [13] ואם יגענו באנחתינו [14] זאת
[חם לבנו בקרב]נו [15] בהוותר לנו פליטה [16] זאת כהבטחת נאמן מי זאת
[עולה מן המדבר [17] ו]אף גם זאת [18] וברוך המדבר ומקיים כבעדות שאתו החסד
[והפדות [19] ברוך יי׳ כי] הפליא חסדו [20] עמנו והשם׳ נפשינו [21] אף כי אין
[בנו מעשים] תחדיש לנו כל ימי עניינו ומודים לו ומהללים לשמו [22]
. . . [רבות] עשית יי׳ אלהי נפלאותיך ומחשבותיך אלינו וג׳ [23] וברוך הוא
[ומרומם ע]ל כל ברכה ותהלה [24] על נשיאת השלום והקריאה הוצרך
[כעת הזאת לנ]ו להודיע לפני הדרתו קצת אשר לא נפלאת היא בעיניו [25]
[שאירע ב]עמו והבא עדי[נו] מייסורי אלהינו שנים שלושה אשר
[קרו הראשונ]ה הרזת [ידים ורג]לים ושהשנית כלת בשר מעלי
[עצמות] סרו[חות] . . . [ו]כן אם בא נבוא להגיד אחת
[מהנה] . . . . . נו עוזרי רהב [26] קשרו

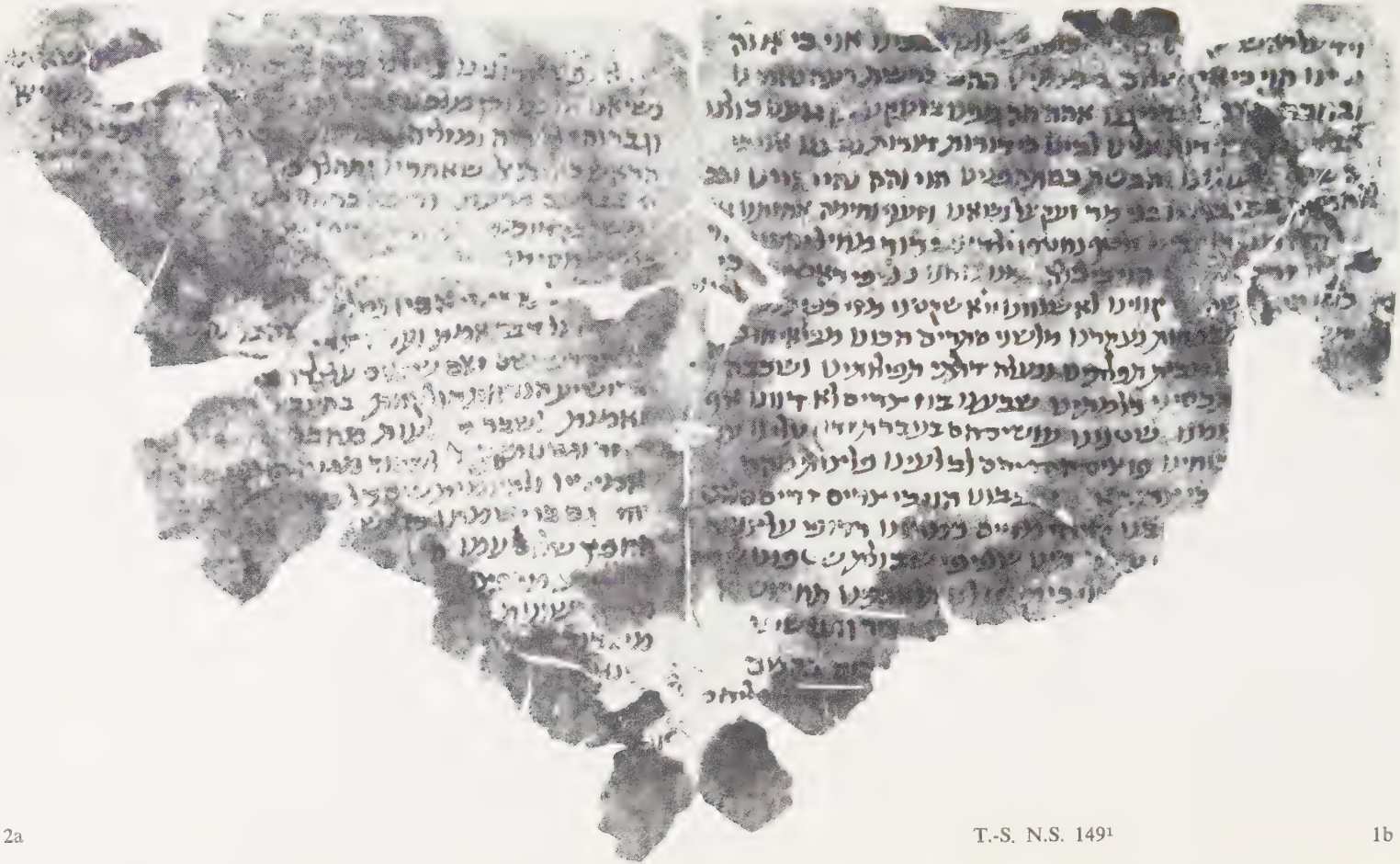
[8] יר׳ מב, ב.
[9] יש׳ ל, יז. בכ״י ״והכתורן״ (בטעות).
[10] יר׳ טו, ח. בראשונה כתוב ״אלמנותיו״ ותוקן.
[11] איכה ג, כב.
[12] שמ׳ א׳ ט, טו.
[13] יש׳ י, כג.
[14] תה׳ ו, ז.
[15] שם, לט, ד.
[16] יח׳ יד, כב.
[17] שה״ש ג, ו; ח, ה.
[18] ויקרא כו, מד.
[19] תה׳ קל, ז.
[20] שם, לא, כב.
[21] שם, סו, ט.
[22] דבה״י א׳ כט, יג.
[23] תה׳ מ, ו.
[24] נח׳ ט, ה.
[25] תה׳ קיח, כג.
[26] איוב ט, יג.

40 . . . . . ופרק עול להשליך יהב [27]
. . . . . כל סילון וסרב [28]
. . . . . עמים רבים אכלו
. . . . . אף הטות
. . . . . על אנחו
45 . . . . . [בנ]קיקי עפר
. . . . . תוא[ר]

[2a] וישטף בהם ויהרג במשמניהם ויצר על העיר י[מי]ם רבים ות[ר]בנה
המהומות [29] וההברות ותחזקנה הצרות הקלות והחמורות ותשאנה
המצרות פארות ויחזק הרעב בעיר ויגוע אלפים רבים מאין מחיה
50 וכלכלה על זאת סלדנו בחילה [30] לשאת בידינו עולה ובכל זאת לא שבו
הקמים השפלים [31] והרמים [32] ויעוצו יחד כאיש אחד וישלחו אל מלך הכרך
הגדול הנקרא קצטנטיניה העיר ויבקש מלפניו לעזרם בלגיוניו
על תנאים מקראים כרצונו ונענה להם במעונותיו ויצביאם
גייסותיו ויסע מסע אחרי מסע עד בואו אל שפת המפסע
55 ויע[בו]ר את המעבר באין מכלים דבר [33] וילכד העיר הנבצרת הנושבת
והרמה וישב בה כמה ימים לתחבולת הנלחמים ויצא [עליו מלך] הגרגשי
וצרר עלינו בעירנו דרך חמשת ימים לערוך עליו מ[לחמה כנה י]מים ויהי
כאשר הקריב לבוא [34] אליו ויצא עליו שר מלך אדום ויכה [בו] . . . . ה
ויפיל את כל מחנהו ארצה וכמים הנגרים [35] בנוד[ד] . . . . . [וישפוך]
60 דמיהם מאת י"י היתה זאת היא נפלאת [36] לכל רואיהם ו . . . . [ויבואו]
עליהם בשאונם ויבזו ויעשו בחילם כרצונם ויהי . . . . . .
סלדיהם כיצר להם ויברח כצל [37] בלי חפצו וילך . . . . . .
ויצליחו ויתעיבו ויאליחו ונותנו למשסה ב . . . . . .

[27] תה׳ נה, כג.
[28] יח׳ ב, ו.
[29] בכ״י ״ההמהומות״ ונקוד על ה״ה״ הראשונה.
[30] איוב ו, י.
[31] בכ״י ״השלפים״ (בטעות).
[32] תה׳ קלח, ו.
[33] שופט׳ יח, ז.
[34] בר׳ יב, יא.
[35] שמ׳ ב יד, יד.
[36] תה׳ קיח, כג.
[37] איוב יד, ב.

1a T.-S. N.S. 149¹ 2b



2a T.-S. N.S. 149[1] 1b

קראנו עליהם כ ר[אותינו אתהם מי נתן למשסה [יעקב וישראל לבוזזים][38]
בנתינת יד לאל זר כלעומת עם נכרי ומוזר[39] . . . . . .
לפדותם בראותינו צרת נפשותם[40] ו . . . . . .
הגנו נשארנו שלוים רוי[ם] . . . . . .
בבוא ימי פקודה[41] ב . . . . . .
וייקר השילומי[ם][42] . . . . . .
ישרים ות[מימים] . . . . . .
רעות . . . . . .
פעמי[ם] . . . . . .
נזעפו ל . . . . . .
[מ]לפני . . . . . .

[2b] ויד על ראש[ינו][43]
אוי כי אזלה ידינו
הה כי ברשת רעה נאחזנו
אהה הה געינו בזעקנו
[אהה ה]ה דוה עלינו לבינו[48]
אוי כי השמים מעונינו
הוי והה גהי נהיינו
בכי מר זעק על נשאנו
אוי ה[ח]רמנו קרובינו
ירוד מחיל ירדנו

או ראה זכותנו מיללנו בבכינו
הוי כי אין שלום בעצמינו[44]
ובחכת[45] [די]יגים נדייגנו[46]
הן גוענו כולנו אבדנו[47]
כי דורות דורות נסענו
והבשת כסתה פנינו[49]
ובכ[י] והרמת בכי בכינו
וזעף וחימה אחזתנו
חטף נחטפו ילדינו
כי כמו זרי[ם] [היי]ו

[38] ישׁ׳ מב, כד.
[39] תה׳ סט, ט.
[40] בר׳ מב, כא.
[41] הושע ט, ז.
[42] ישׁ׳ לד, ח.
[43] יר׳ ב, לו.
[44] תה׳ לח, ד.
[45] ישׁ׳ יט, ח.
[46] יר׳ טו, טז.
[47] במ׳ יו, כז.
[48] איכה ה, יו.
[49] תה׳ מד, טו.

הוי כי כלה ממנו כוחנו [50]
כמו רק[ב ק]שה

מזי [53] כפן [54] כלונ[ו]
מלשני סתרים [55] הכונו
[נגרש]נו [56] מבית תפלתינו
נשכבה [בבשתנו]
שבענו בוז [59] צרים לא דוונו
עושים הם בעברת זדון [60] עלינו
פוצים הם פיהם לבלעינו [62]
כי צרות א . . . . [ס]בבונו
ק . . . . . בנו
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[63] איוב כא, ו.
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